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University Institutional Autonomy in Moldova

Turcan, Romeo V.; Bugaian, Larisa

Publication date:
2014

Document Version
Early version, also known as pre-print

[Link to publication from Aalborg University](#)

Citation for published version (APA):
Turcan, R. V., & Bugaian, L. (2014). *University Institutional Autonomy in Moldova*. Cuvântul ABC.

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Tempus

Business

Interface 4

University

Interface 1

Interface 2

Staff

Interface 3

Students

University Institutional Autonomy in Moldova



Romeo V. ȚURCAN, Larisa BUGAIAN



Tempus

University Institutional Autonomy in Moldova

Editors: Romeo V. ȚURCAN, Larisa BUGAIAN

This project has been funded with support from the European Commission. This publication (communication) reflects the views only of the author, and the Commission cannot be held responsible for any use which may be made of the information contained therein.

University Institutional Autonomy in Moldova

EDITORS: Romeo V. TURCAN, Larisa BUGAIAN

www.euniam.aau.dk

CZU 378.4(478)
U 56

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University Institutional Autonomy in Moldova / ed.: Romeo V. Turcan, Larisa Bugaian. – Chişinău: Cuvântul ABC, 2014 (F.E.-P. „Tipografia Centrală”). – 204 p.
Apare cu sprijinul financiar al Comisiei Europene. – 50 ex.
ISBN 978-9975-4003-3-6.
378.4(478)
U 56

ISBN 978-9975-4003-3-6.

Executive Summary

This report introduces four evaluation studies in which the current status of university institutional autonomy in Moldova is evaluated. University institutional autonomy consists of four types of autonomy: organizational, financial, human resource, and academic, and five interfaces that characterize external and internal points of interactions between modern universities and their key stakeholders: government–university; university management–university staff; university staff–students; university–businesses; and university–internationalization. In addition, this report discusses the context and the structure of higher education as well as the overall education system in Moldova.

For the purpose of these evaluation studies, a research methodology was developed by the EUniAM project team and used by the Task Force teams to collect and analyse the data. Unobtrusive data in the form of laws regulating directly or indirectly the higher education system in Moldova, governmental and ministerial decrees, university chapters and organizational structures, and education records were collected and analysed. A total number of 144 documents have been analysed, adding up to approximately 8000 pages.

These evaluation studies directly contribute to the aim of work package two of the project. At the same time, these studies contribute to work package three and four of the project. The developed methodology will assist the project teams in collection and analysis of data for the benchmark analysis that is part of work package 3. Data and information from these evaluation studies will be later compared and analysed by the project teams during work package 4 the main objective of which is to draft legislative proposals on university autonomy in the Republic of Moldova.

These evaluation studies were conducted by the EUniAM Task Force teams in 2013 and reported in 2014. They commenced at the time when the Government of Moldova made changes to the financial autonomy of universities, allowing them inter alia to open own bank accounts in a bank of their choosing, and keep and transfer the balance for the next reporting year. At this same time, the Ministry of Education together with the higher education community started working on the Code of Education. Although during this period data were a moving target, the Task Force teams made everything possible to account for those changes in the evaluation studies.

During the above mentioned period, data and information from these evaluation studies contributed to a great extent, directly and/or indirectly, to the debate on university institutional autonomy legislation in Moldova. Preliminary findings of the evaluation studies were presented at the International Conference on “A Quest to (Re)define University Autonomy” organized by the EUniAM project. At the same time, these findings had an impact on the context of the new Code of Education.

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1. EVALUATION OF EXISTING SITUATION OF UNIVERSITY INSTITUTIONAL AUTONOMY IN MOLDOVA

1.1. Introduction

This report introduces the reader to the 4 studies that the EUniAM Task Force conducted on the current status of university autonomy in Moldova (herein referred to as Evaluation Studies). In doing that, the report, first, positions the Evaluation Studies within the EUniAM project portfolio so that the reader could see how these studies are inter-linked with other EUniAM project activities, as well as within the context of university autonomy development in Moldova. Methodology that was developed and employed to collect and analyse the data is presented further, followed by an overview of the general context, structure and system of higher education in Moldova. Summaries of the Evaluation Studies follow next and a discussion concludes this consolidated report.

1.2. Positioning the Evaluation Studies within the EUniAM Project

The Evaluation Studies are among the outputs of the second work package (WP) of the EUniAM project (www.euniam.aau.dk/work-packages/wp2). For the purpose of implementing WP2 of the project, 4 Task Force teams were put together; each Task Force team had a team leader and consisted of representatives from partner universities (Table 1). Each team had a designated translator/interpreter and a designated person who drafted a respective study (and who later formed the Lead Task Force team).

Directly contributing to the aim of WP2, which is to critically assess the current situation of the university autonomy in Moldova, WP2 studies benefited of and also contributed to WP3 of the project, the aim of which was to learn in-depth and assess the university autonomy in the EU and conduct a benchmark analysis of university autonomy in partner countries of the project (www.euniam.aau.dk/work-packages/wp3). WP2 and WP3 started almost at the same time. WP3 commenced with study visits to EU project partner countries – 5 in total. Most of the members of the Task Force (Table 1) took part in these visits alongside rectors and representatives from the Ministry of Education, Ministry of Finance, students, labour unions, and business community. During these visits the Task Force had the opportunity to learn and understand more about university autonomy and eventually apply this knowledge to the process of evaluation of university autonomy in Moldova, for example by identify and better define specific areas of and issues related to each type of university autonomy in Moldova.

The aim of the second part of WP3 was to conduct a benchmark analysis of university autonomy in the EU project partner countries. This benchmark analysis was conducted by the Lead Task Force team that also took part in WP3 study visits. For the purpose of the benchmark analysis, the Lead Task Force team travelled to the EU project partner

countries and collected in-depth data based on specific methodology. Knowledge and experience gained during these benchmarking visits allowed the Lead Task Force team to further revise and enhance the Evaluation Studies.

Table 1.1: *Task Force teams*

Team	Name, affiliation	Comments
Organizational Autonomy	Revenco Mihail, SUM Vrancean Vasile, SAUM Niculița Angela, SUM Puțințean Nina, SAUM	Team leader Drafted the study Interpreter
Financial Autonomy	Cotelnic Ala, AESM Chistruga Natalia, TUM Gîrlea Svetlana, TUM Guțu Nnadejda, AESM Lupașco Svetlana, SUMPh Plămădeală Emilia, SAUM Cebotari Svetlana, SUM Gaugăș Tatiana, AESM Lucinschi Tatiana, TUM	Team leader/Drafted the study Interpreter
Human Resources Autonomy	Cernetchi Olga, SUMPh Mogoreanu Nicolai, TUM Muravschi-Lișman Aliona, SUM Sadovei Nicolai, SUM Teaca Aliona, AESM Novac Tatiana, SUMPh Sava Turita, AESM Lazar Angela, SUC Pojar Daniela, SUB Cara Maria, CSU Babara Elena, SUMPh	Team leader Drafted the study Interpreter
Academic Autonomy	Todos Petru, TUM Zacon Eugeniu, SAUM Solcan Angela, AESM Balanici Alexandru, SUB Chiciuc Andrei, TUM Șaptefrați Lilian, SUMPh Negara Corina, SUB Prițcan Valentina, SUB Guvir Stela, TUM	Team leader/Drafted the study Interpreter

Note: AESM: Academy of Economic Studies of Moldova; CSU: Comrat State University; SAUM: State Agrarian University of Moldova; SUARB: State University of Balti “Alecu Russo”; SUC: State University of Cahul “Bogdan Petriceicu Hasdeu”; SUM: State University of Moldova; SUMPh: State University of Medicine and Pharmacy “Nicolae Testemitanu”; TUM: Technical University of Moldova

The above iteration process is reflected in the process of submission of the WP2 first drafts in 2013 that were later revised in spring 2014, with final drafts being submitted in early summer 2014. During this process (in 2013), feedback on the early drafts of the Evaluation Studies was sought from internal and external experts of the project (Table 2) and incorporated in the revised versions.

Table 1.2: *The team of internal and external experts*

	Affiliation	Country
Internal experts		
Victor Kordas	Royal Institute of Technology	Sweden
Marin Marinov	University of Gloucestershire	UK
Birute Mikulskiene	Mykolas Romeris University	Lithuania
Stefan-Gheorghe Pentiu	University of Suceava Stefan cel Mare	Romania
Olav J. Sorensen	Aalborg University	Denmark
Nadejda Velisco	Ministry of Education	Moldova
External Experts		
Mihail Popescu	Polytechnic University of Bucharest	Romania
John Reilly	University of Kent	UK

1.3. Methodology

1.3.1. A Holistic View of the Institutional Autonomy of Universities

To evaluate the current situation of university autonomy in Moldova, a research methodology was developed. A starting point in this process was the institutional autonomy framework that was developed at the beginning of the project (Figure 1). In addition to the 4 types of autonomy as defined by Lisbon declaration, we have added five interfaces that characterize external and internal points of interactions between modern universities and their key stakeholders. These interfaces are: government – university; university management – university staff; university staff – students; university – businesses; and university – internationalization.

Government – university interface explores inter alia state policies with regard to higher-education; role of central and regional governments in issuing regulations for the

structure of university governance; governance vs. management: are governance structures fit for purpose, effective, accountable (to whom); advocacy of higher education institutions; need and role of accreditation; models of financing research and teaching; accountability and public responsibility; implications for the mission of an university; understanding the interface vs. practicing the interface.

University management – university staff interface explores inter alia governance and management models of a modern university; power sharing in strategic and operational decision making; implications of top-down, bottom-up or flat organization; incentive and evaluation mechanisms; external vs. internal appointment and promotion policies; staff mobility; research, teaching, and contribution to community vs. university mission; understanding the interface vs. practicing the interface; accountability and public responsibility.

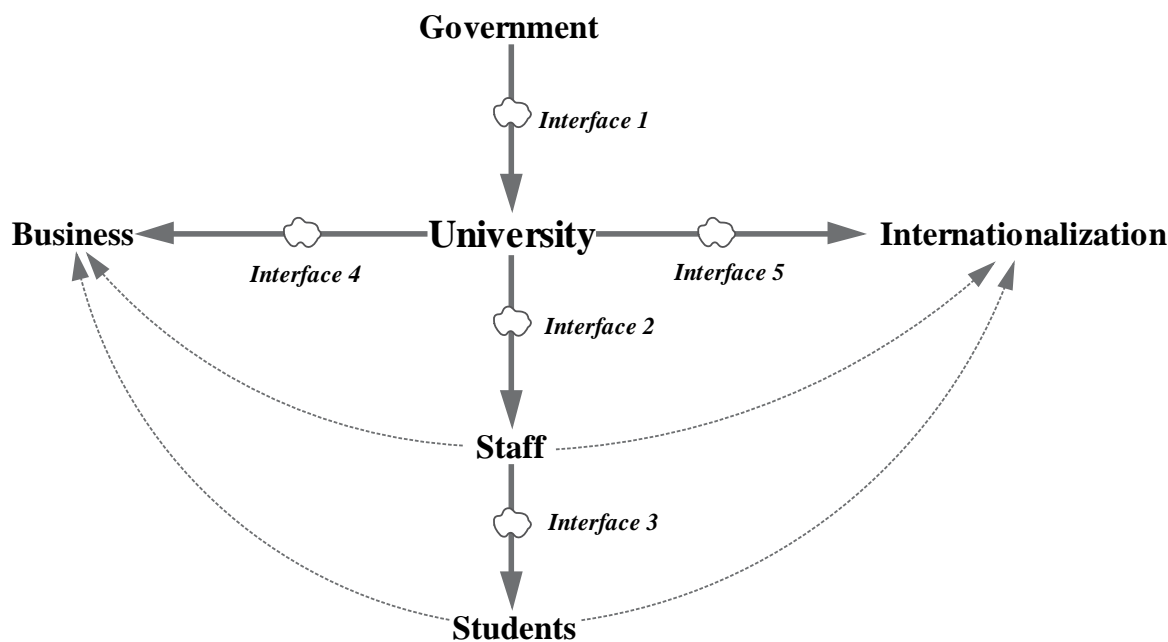


Figure 1.1: *Institutional autonomy framework*

University staff – students interface explores inter alia students' role in university governance and management, as well as in teaching and research processes; staff as teachers vs. staff as mentors; changing the mindset about the students; models of student admissions (e.g., linked to overall higher-education state policies); students' evaluation models; students' mobility; problem based learning; understanding the interface vs. practicing the interface; accountability and public responsibility.

University – businesses interface explores inter alia businesses' role in university governance and management, as well as in teaching and research processes; models of knowledge transfer (e.g., financing, ownership, spin-outs, intellectual property rights) and knowledge sharing (e.g., staff exchange programs, student internships, promoting entrepreneurship); career development, and innovation; life-long learning; understanding the interface vs. practicing the interface; accountability and public responsibility.

University – internationalization interface explores inter alia university internationalization policies; university strategies for internationalization; staff and student mobility; in-

ward and out-ward internationalization modes and models; accreditation related to the process of internationalization; compatibility of internationalization and university autonomy; internationalization and university mission; understanding the interface vs. practicing the interface; accountability and public responsibility.

By cross-tabulating the 4 types of university autonomy and 5 university interfaces we arrived at a holistic view of the institutional autonomy of universities, which was the basis of our research methodology (Table 3). As it can be noticed, 20 types of institutional autonomy are defined by this framework. This holistic view of institutional autonomy of universities is based on iterative relationship between autonomy types and interfaces, without preconceived judgements on causal relationships and effects.

Table 1.3: *Methodology framework – a holistic view of the university institutional autonomy*

	Organization Autonomy	Financial Autonomy	Staffing Autonomy	Academic Autonomy
Interface I Government – University				
Interface II Management – Staff				
Interface III Staff – Students				
Interface IV University – Businesses				
Interface V University – Internationalization				

1.3.2. Data Collection Instrument

Based on the above methodology framework, a data collection template was developed (Appendix 1) and internal and external experts in the project contributed to the development of a detailed data collection instrument. For each type of institutional autonomy, the internal and external experts identified a set of questions/issues that in their opinion were critical for understanding or learning about a particular type of institutional autonomy (20 in total). As in any brain-storming exercise as this one, there is no limit on the number and type of questions/issues to be included in each grey box – so the experts were asked to include as many questions/issues as necessary and/or relevant. In developing potential

questions/issues, the experts were also asked to take into account depth and breadth of each questions/issues, specificity (rather generality) of the questions/issues, and indicate potential sources of related data.

Upon receiving inputs from the experts, the Project Management team put together a generic data collection instrument per autonomy type that the Task Force teams employed to collect the data. These instruments are available in Appendixes 2 in the Evaluations Reports. The Task Force teams reviewed and analysed over 250 documents; the list of reviewed data is presented in Appendixes 1 in Evaluation Reports. The electronic copies of reviewed material from Appendixes 1 in the Evaluation Reports are available upon request on the project intranet: <http://euniam-moodle.samf.aau.dk/>.

1.3.3. Data Analysis

To facilitate data analysis, data analysis templates were developed (Tables 4 and 5). First, the Task Force teams reviewed the identified external (governmental and ministerial) and internal (university) documents (see Appendixes 1 in Evaluation Reports), aiming to distil the properties and indicators of university autonomy embedded explicitly and implicitly in these documents. In this within-case analysis (Table 4), the teams built on properties and indicators of a type of university autonomy as defined in the generic draft methodology. The list of properties and indicators was extended through a brain-storming exercise. For example, the teams were asked to bring in column 1 all data that emerged from various documents and brainstorming related to organizational autonomy; and if there were a property/indicator that they had doubts about its positioning, the teams were asked to insert it in the table and in the comments/description column provide an argument why they believed it is part of organizational autonomy.

The next step, after understanding how a type of university autonomy is manifested and regulated in Moldova (the example above is about the organizational autonomy), was to conduct a cross-case analysis, i.e., to analyse the mutual relationship a type of autonomy (e.g., organizational autonomy) might have on 5 interfaces of the institutional autonomy of universities; a potential relationship and respective impact are presented in Table 5.

Table 1.4: *Evaluation of organizational autonomy – an example*

Properties/indicators	Source (title of the source and citation)	Comments/Description
Enacting university governance		Either does not exist or exists, it does not provide separation of powers; this point could be later inserted in Table 3 by expanding on potential relationship and impact.

Table 1.5: *Relationship between organizational autonomy and interfaces – an example*

Interface	Relationship (incl., citations)	Impact
Government – University	Law on HE regulates: University management (details)	No separation of powers; issues with accountability, conflict of interests, etc.

1.3.4. Evaluation Studies

Based on the above methodology and data collection and data analysis tools, the Task Force teams put together 4 Evaluation Studies (Appendixes 2-5). The executive summaries of these evaluation studies are presented in Chapter 5; the e-versions of the studies are available on the project website: <http://www.euniam.aau.dk/work-packages/wp2/evaluation-reports/>.

1.4. Higher Education in Moldova

1.4.1. The Context of Higher Education

The Republic of Moldova is sandwiched between Romania and Ukraine with approximately three and a half million people. After recession in 2008-2009, Moldova witnessed an increase in its GDP of approximately 35% (steady yearly growth of about 6.4-6.9%) and reached in 2013 a GDP of € 5,972m compared to € 3,892m in 2009 (Table 6). The overall GDP growth was accompanied by a steady increase in GDP per capita. Compared to the previous years, GDP per capita was showing continuous rise of about 31%, from €1,151 in 2008 to €1,678 in 2013. These positive trends suggest that Moldova is slowly recovering from the economic recession.

Higher education is financed approximately at 1.26% of GDP, which is € 75m, and R&D at 0.4% of GDP, which is € 24m. If the funding received by higher education sector increased in terms of absolute numbers from € 53m in 2008 to € 75m in 2013, the share of GDP spent on higher education decreased from 1.44% in 2009 to 1.26% in 2013. The same negative trend is observed in the share of GDP spent on R&D that decreased from 0.6% to 0.4% (Table 6). Policy makers are anticipating an increase in R&D funding to reach a level of 1% in the coming years – a target set in most of the European countries, but yet, hard to achieve.

The immigration trend among economically active population as well as young population is very high and strongly persists. According to the World Bank, in 2012, approximately 25% of economically active population has left the country. According to the Ministry of Education, 17.7% of young people aged 15-29 migrated abroad in 2010.

As of 2013, the overall number of universities providing higher education is 32, including 19 state and 13 private institutions. However, not all universities received official accreditation. The Moldovan Ministry of Education lists 27 accredited universities in the country, of which 16 are state universities and 11 are private. The number of faculty in 2013 was approximately 5,700, out of which 3,338 are researchers (NBS, 2013). Over the last 5-6 years, the number of faculty declined from 6,415 in 2013 by 11%.

The number of students getting education in Moldovan universities has amounted to 97,285 in 2013. Out of this amount, about 85,000 students are enrolled in public universities. There is one public university in the breakaway region of Transnistria with about 15,000 students and 85 PhDs. Compared to 2008, student population dropped by more than 15% in 2013. This trend is mainly due to the high immigration rate among young population – more and more Moldovan students prefer to get their degrees in other European countries. The number of international students coming to the Republic of Moldova almost doubled within the last six years. Compared to other EU countries such as Denmark and Sweden where the share of international students is 11%, the share of international students in Moldova is about 2%.

Table 1.6: *The context of higher education in Moldova, 2008-2013*

	2008	2009	2010	2011	2012	2013
Population (000)	3,573	3,567	3,563	3,560	3,560	3,560
GDP (€, 000)	4,115	3,892	4,381	5,030	5,645	5,972
GDP per capita (€)	1,152	1,091	1,230	1,413	1,586	1,678
HE budget (€, 000)	53	56	60	65	70	75
HE budget (% GDP)	1,28%	1,44%	1,38%	1,29%	1,25%	1,26%
Research budget (% GDP; €, 000)	0,6%	0,6%	0,5%	0,4%	0,4%	0,4%
	26	23	22	21	23	24
Number of universities (total)	31	33	33	34	34	32
Public	17	19	19	19	19	19
Private	14	14	14	15	15	13
Research institutes (within Academy of Sciences)	28	29	30	31	31	31
Number of students (total)	114,865	109,892	107,813	103,956	102,458	97,285
Cycle I	95,480	93,404	90,702	85,345	82,819	78,049
Cycle II	5,242	10,973	12,855	14,438	15,455	15,098
Integrated studies	4,157	4,106	4,186	4,173	4,184	4,138
Pre Bologna	9,986	1,409	70	-	-	-
International students	1,219	1300	1,372	1,632	2,028	2,138
Graduates	29,614	26,611	28,408	27,788	26,730	24,848
Doctoral students	1,574	1,601	1,550	1,556	1,485	1,522
Number of faculty	6,415	6,413	6,493	6,147	6,003	5,700
Cycles of education	<p>Cycle I: 3-4 years</p> <p>Cycle II: 1,5-2 years</p> <p>Intergrated studies (I+II cycle) for veterinary medicine, pharmaceutical and architecture domain: 5-6 years</p> <p>Doctoral studies: 3 years</p>					

Source: World Bank, 2014; National Bureau of Statistics, 2013; Ministry of Education, 2014

Moldova joined the Bologna process in 2005 and by 2011 restructured its higher education system, primarily on the first two levels. Today higher education programmes are delivered on the three major levels. Fulltime undergraduate courses last 3 to 4 years; the number of students enrolled in the first cycle of higher education in 2013 was 78,049. Master degree studies last from 1 to 2 years; the number of students at this level was 15,098 in 2013. Doctoral studies in the Republic of Moldova last from three to four years; the number of doctoral students was 1,522 in 2013. There are some programmes from the previous system, such as integrated 6-year programmes; 4,138 students were enrolled in such programmes in 2013.

1.4.2. The Structure of the Higher Education Sector

The higher education and research sectors in Moldova are organized in three levels: political, policy and operational (Figure 2). At political level, the Parliament and the Government provide political support to the higher education sector. At the same, they are founders of public higher education institutions. The policy level coordinates funding and policy initiatives. The main player at this level is the Ministry of Education. Another player is the Academy of Sciences of Moldova (ASM) that coordinates all research and innovation policies and public funding for research. The operational level is presented by R&D institutes under the ASM, the accredited public and private universities and a few private companies that perform research activities.

Moldova's R&D system is highly centralized, with the Moldovan Academy of Sciences (ASM) being the key player, with conflict of interests. It fulfils the functions similar to that of a ministry of science, being the main policy-making institution, distributing research funding and being at the same time the recipient of that funding. The President of ASM is member of the Government. The Moldovan Government is responsible for approving the R&D budget, and among the functions of the Moldovan Parliament is to approve laws for R&D and innovation as well as the national scientific priorities. Some other ministries (for example, Ministry of Environment) take part in R&D policy making, but their role is minor compared to ASM. Speaking about the system of Higher Education, it is mainly coordinated by the Ministry of Education (overseeing 19 public and 13 private universities). However, the specialised universities are affiliated to other ministries, e.g., State Agrarian University also reports to the Ministry of Agriculture and Food Industry, and State University of Medicine and Pharmacy - to the Ministry of Health. The Ministry of Economy coordinates private sector research and innovation in the country.

ASM is also the main policy implementation body. Together with its executive body, the Supreme Council for Science and Technological Development (SCSTD), ASM manages all public R&D and innovation programmes. Two agencies of ASM have a function of managing the funding programmes: the Agency for Innovation and Technology Transfer (AITT) is responsible for innovation funding and the Centre for Fundamental and Applied Research Funding (CFCFA) takes care of public funding. Most of the R&D programmes – about 77% – are performed by the research institutes of ASM, whereas R&D performed by universities and businesses is significantly less, about 11.6% and 11.3% respectively (Erawatch, 2014). The National Council for Accreditation and Attestation (NCAA), an

institution of ASM, is responsible for the accreditation of science activities. The governmental research sector being composed mostly by the 15 institutes of the Academy of Sciences, all of them are accredited for the science performing. At the same time from 32 universities, only 17 universities, 13 of which are state, have been accredited for science activities. A number of universities in Moldova have not gone through the science accreditation process.

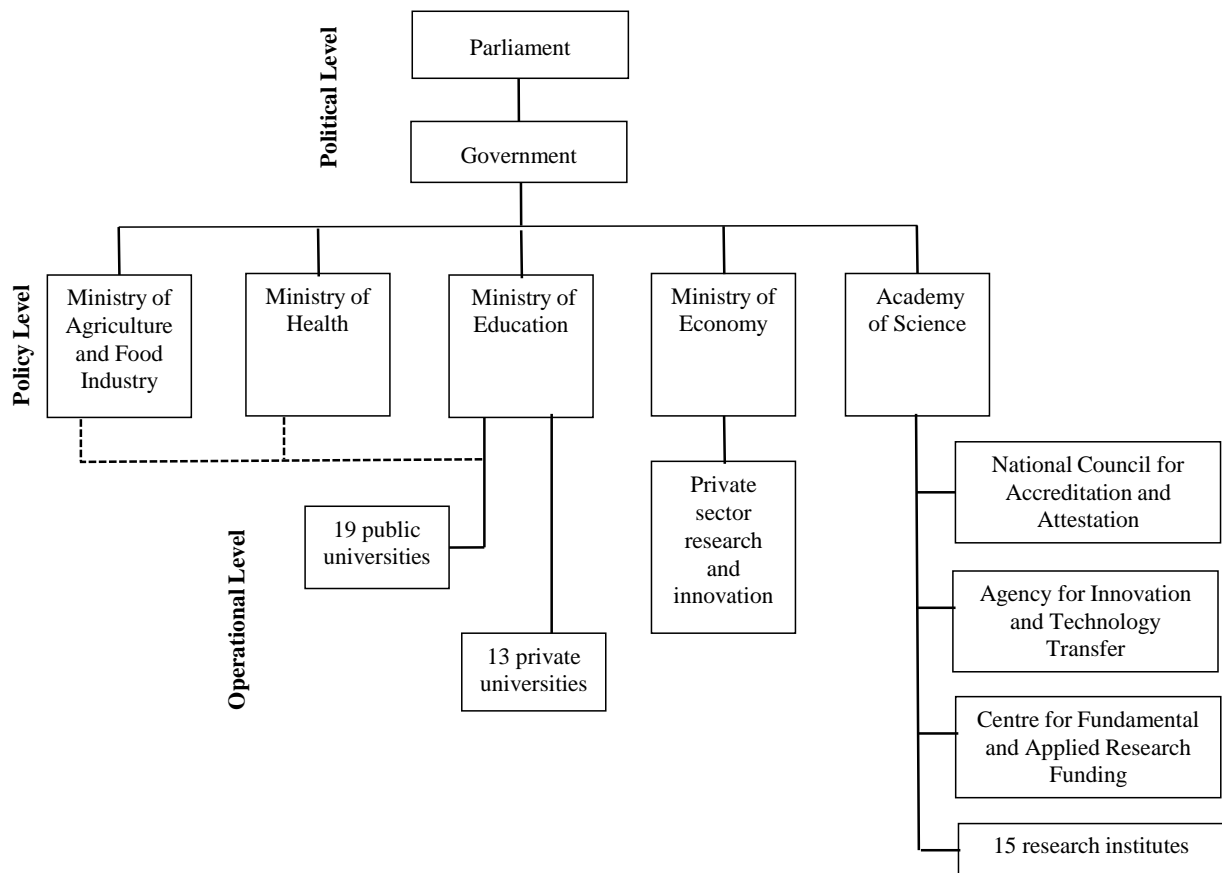


Figure 1.2: The structure of Moldovan Higher Education and Research sector

1.4.3. The Education System

The education system in Moldova consists of preschool, primary, secondary, post-secondary and higher education (Figure 3). These levels correspond with the major levels identified by the international Standard Classification of Education (ISCED, 1997). Pre-school education is for children up to the age of seven years. Primary education is between grades one through four and typically involves children between the ages of 7-11. Secondary education falls into two tracks: general and vocational. General secondary education from grades 5-9 is called gymnasium, and the level of grades 10-12 is called lyceum. The students who obtained general higher education certificates can continue in higher education institutions.

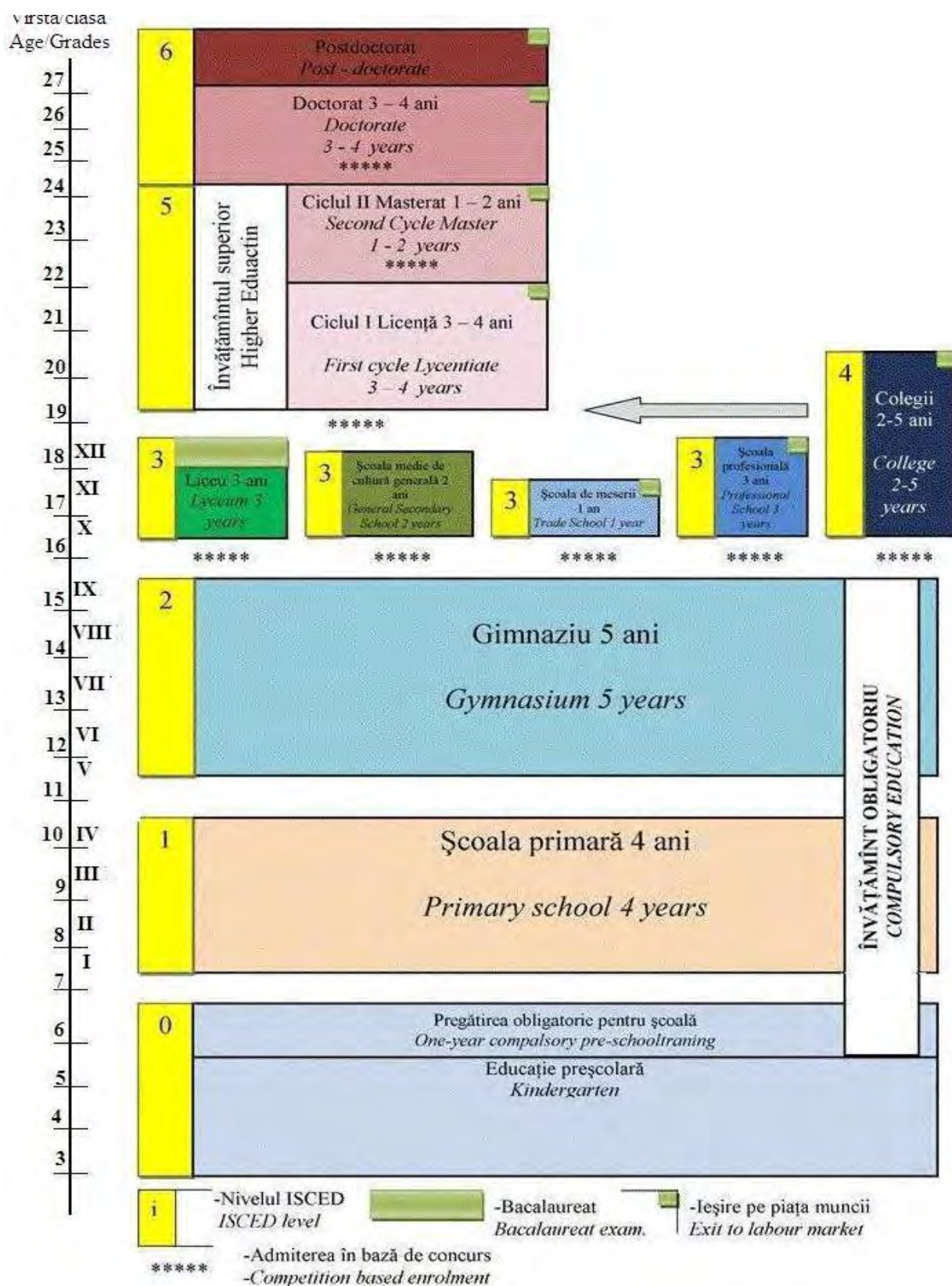


Figure 1.3: Education System in the Republic of Moldova

The vocational track of secondary education is represented by the professional lyceum and professional school. There are a number of post-secondary studies (technical/vocational type). These programmes are taught at colleges and do not refer to higher education. The duration of the study programmes vary between two to five years, depending on the level of the students admitted to college. Courses lead to qualifications at undergraduate degree level; graduates receive the degree of vocational education. Higher education is represented by university education. Universities were traditionally awarding Diplomas, but starting with 2005 – after joining Bologna process, they started issuing titles of Bachelor and Master degrees to comply with the international standards.

There is a system of diplomas, qualifications or certificates awarded by completion of the secondary education programmes. They are specific for different tracks of education (academic and vocational). Upper secondary education can last either three or four years and be certified by the *Diploma de Bacalaureat* (Baccalaureate) or *Atestat de Maturitate* in the Transnistria region (*Atestat de Maturitate* is a necessary precondition for entering the system of higher education in Transnistria region which did not adhere to Bologna process). To be accepted to universities that adhered to Bologna process, the students from Transnistria region shall take one year top-up programme that finishes with *Diploma de Bacalaureat*. There are also schools of general secondary education and vocational schools that give leaving certificates and professional certificates, which do not provide access to the system of higher education.

After joining Bologna in 2005, the Law on Education was amended in order to incorporate the basic Bologna Principles; a two-cycle system of higher education has been introduced. It should be mentioned that doctoral programmes have not yet been changed in the light of the Bologna process. Doctoral studies are still regulated by the Science and Innovation Code and the Law on Education (TEMPUS, 2012).

Higher education studies consist of two major cycles of education: first cycle, that lasts from three to four years and master study that lasts from 1 to 2 years. The duration of studies depends of the field of education. The *Diploma de Licență* is awarded for the first cycle study, which gives access to second cycle, Master degree. The *Diploma de Master* is awarded for the second cycle of study and gives access to doctoral study. There are integrated studies such as veterinary medicine, pharmaceutical and architecture, that last from five to six years. The awarded diploma has the same level as master studies.

The new Code of Education provides three levels of higher education. But actually the doctoral study remains as postgraduate studies that have two stages: Doctor and Doctor Habilitate. Doctoral programme lasts from three to four years of study and research activity, completed by the public defence of an original research work (thesis). Doctor Habilitate is the postdoctoral study and represents the highest scientific degree conferred in all fields, it is rewarded on the basis of the original contribution to a particular field and also requires public defence of doctor habilitate thesis.

Since the late 1990s, private education, as an alternative to state education, has also set up in Moldova. Today, the private sector is growing, there are 13 private universities. These private universities follow the regulations established by the Ministry of Education and a few of them have already passed the process of state accreditation.

The entrance procedures are common for all higher education institutions in Moldova. The government establishes and approves the number of places available for all education tracks at each state university. The competition for admission is made on the basis of the grades achieved during the secondary education and at the end of secondary education (Baccalaureate exams). Depending on the score obtained, applicants can be enrolled either for state-funded places or for places with tuition fees. The share of the state funded places is considerably small; about one third of students are financed by the state, whereas the rest pay tuition fees (self-financed) (TEMPUS, 2012).

1.5. Summaries of Evaluation Studies

1.5.1. Organizational Autonomy

The aim of the study is to evaluate the current situation of organizational autonomy in Moldovan universities. Since there is no explicit definition of organizational autonomy provided in national laws and regulations, for the purpose of this study organizational autonomy is defined as university's freedom to determine its own structure, governance, and relations of subordination and responsibility. We extended the scope of the study by analysing the relationship of organizational autonomy with five interfaces that characterize the internal and external points of interaction between modern universities and key stakeholders. These interfaces are: Government–University; University Management–University Staff; University Staff–Students; University–Business, and University–Internationalization.

Following a developed research methodology, unobtrusive data in the form of laws regulating directly or indirectly the higher education system in Moldova, governmental and ministerial decrees, university chapters and organizational structures, and education records were collected and analysed. A total number of 30 documents have been analysed, adding up to approximately 1400 pages.

The analysis of the data suggests that universities in Moldova have relative organizational autonomy in determining their structures, working relationships between and within faculties and departments, as well as in distributing responsibilities. A number of issues have been identified in relation to organizational autonomy (although partly some of the issues have been already addressed by the new Code of Education that was submitted by the Government to the Parliament for voting).

The key issue relates to the extant conflict of interests that exist in the governance of universities. There is no separation of powers between the university board (currently this function is fulfilled by the Senate) and university management. Currently, the Rector is the Chair of the Senate; s/he is elected by the Senate; and at the same time manages the university. The other issue relates to the size and the composition of the Senate. The large size of the Senate, sometimes consisting of 100 people and more, makes the Senate inefficient and ineffective. The Senate is elected by the entire university community by open or secret vote consisting of teaching and scientific staff, students, doctoral students

and auxiliary staff of the university; rector, vice-rectors, deans and heads of academic subdivisions are members of a Senate by virtue of their functions.

Recently, students have been invited to take part more actively in the Senate activities (as well as at the faculty and department levels), but students' involvement is rather weak, either due to staff reactance to embrace student participation or students' lack of initiative or both. Also, outside stakeholders are not represented in the Senate (Board), e.g., business representatives, including, national and international.

The Ministry of Education still plays a role in determining the organizational structure of universities; it approves or confirms the university organizational structures, as well as the establishment, restructuring and suspension of faculties. In addition, State University of Medicine and Pharmacy and State Agrarian University receive approval on their organizational structures from respective ministries, Ministry of Health and Ministry of Agriculture and Food Industry. The Ministry of Education regulates the election procedures of the Senate, rectors, deans and heads of academic departments. It proposes the newly elected Rectors (by the Senate) to the Government for confirmation.

The other emergent issues relate to the election of rectors. As per current legislation, there is no limit regarding the number of terms (mandates) the same person may occupy rector's office. The vacancy for rector's position is available only for Moldovan citizens.

The other key issue relates to the outdated Law on Education that was adopted in 1995 and was subjected to a large number of alterations. Currently a new Code of Education has been developed by the Government and submitted to the Parliament for voting; this new Code of Education is meant to replace the old Law on Education of 1995.

Another issue relates to how universities are founded. There is a high risk of political influence on the establishment, restructuring or liquidation of universities. The Ministry of Education is the founder of universities, makes proposal on establishment, restructuring or liquidation to the Government that approves it, whereas the President of the Republic of Moldova promulgates the decision, thus having a final word to say on the proposal.

A number of issues emerged at the university-business interface. Although universities are free to engage in academic collaborations with businesses, these relationships are often reduced to offering internships to students. And even in this case, businesses are reluctant to take students as their interns and most of the time internships are just formalities, barring the students from actual work and/or problem solving.

With respect to the university-internationalization interface, it emerged that although universities are free to seek international partners, collaboration agreements with universities and other international organizations must be coordinated with the Ministry of Education in order to obtain its permission to sign respective documents. It also emerged, that there is no law that would regulate the recruitment of foreign students, and clearly define the rights and responsibilities of the universities; currently, in relation to the recruitment of foreign students, universities are treated equally as economic agents that hire foreign workers.

1.5.2. Financial Autonomy

The aim of the study is to evaluate the current situation of financial autonomy in Moldova. In 2012 the Government issued a decree (GD 983, 2012) aiming at granting financial autonomy to Moldovan universities. The Government Decree came into effect on January 1, 2013, with a transitional period of two years. The analysis of current situation was conducted for two periods: before (period 1) and after (period 2) January 1, 2013. Hence, two sets of findings are reported in the study for each period respectively. The analysis of data from period 1 is more comprehensive as it is based on a large number of laws, regulations and norms, some of which remained valid after January 1, 2013. As it may be expected, data available for analysis from period 2 was scarce; it was largely based on few recent normative acts and on new personal and institutional activities.

Following a developed research methodology, unobtrusive data in the form of laws regulating directly or indirectly the higher education system in Moldova, governmental and ministerial decrees, university chapters and organizational structures, and education records were collected and analysed. A total number of 38 documents have been analysed, adding up to approximately 2000 pages.

According to the Government Decree (GD 983, 2012, Article 6), financial autonomy is defined as “the right of institution to organize its activity independently and to self-manage financially, to perform its work without any ideological, political or religious interference, to take a number of competences and duties in accordance with national strategic options and guidelines for the development of higher and postgraduate education, as well as research, development and innovation areas, as established by law and policy documents”.

The above definition of financial autonomy was enhanced by bringing in the definition provided by Estermann and Nokkala (2009) and Estermann, Nokkala, and Steinel (2011) whereby financial autonomy is seen as the capacity of universities to: accumulate funds and retain surplus budget funds; establish tuition fees; borrow money from financial markets; invest in financial products; issue shares and bonds; and have land and buildings in ownership. We further extended the scope of the study by analysing the relationship of financial autonomy with five interfaces that characterize the internal and external points of interaction between modern universities and key stakeholders. These interfaces are: Government–University; University Management–University Staff; University Staff–Students; University–Business, and University–Internationalization.

As a result of granting relative financial autonomy to universities, a number of benefits have emerged. Universities now have the right and freedom to accumulate, transfer from one year to another and distribute their financial resources internally as per accountability, quality assurance of education, and compliance with legislation principles. Funding sources have been diversified, reducing dependence on the limited public funding. At the same time, universities were allowed to open bank accounts so that the management of financial resources is conducted via bank accounts and not the Treasury.

A number of key issues could be singled out as a result of data analysis. Although universities have freedom in setting up their own tuition fees, universities shall coordinate these fees with the founder (Minister of Education). Despite the fact that current tuition

fees do not cover actual (full) costs, since 2008, the founder has now allowed any changes in tuition fees. The same issue is with accommodation fees that do not cover actual accommodation costs.

Funding that comes from the state (cost per student) also does not cover universities' full costs. A new approach, methodology is to be implemented to allocate budgetary resources per student rather than per expenditure items. But this methodology is far from being perfect. Related to this methodology, the new principle was introduced by the Government Decree (GD 983, 2012) which is to become the basis of annual funding methodology: money follow the student. It aims inter alia to allow the students to choose between universities during their studies, instil competition between the universities and enhance quality of education. Related methodology is yet to be developed.

The size of intake every year is determined by the Ministry of Education, the Ministry of Labour, Social Protection and Family and the Ministry of Finance that adjust the number of students to the financial possibilities of the state, taking specifically into account the state's needs in various professions, number of graduates, and cost per student. However, the approach of the Ministry of Education to distribute the places among public universities is non-transparent.

Another key, very important issue as well, refers to research funding. Universities do not receive funding for research directly from their founder. Historically (from the Soviet times), universities were seen only as teaching, education institutions, leaving research to the Academy of Science. This situation has not changed much in our days. Research funding is allocated to universities by the Academy of Science that is also a recipient of such research funding which is clearly a situation of conflict of interest.

Another issue refers to the lack of flexibility in determining entrepreneurial services that could be offered by universities. As of today, such services could only be performed by Government decision.

1.5.3. Human Resources Autonomy

The aim of the study is to evaluate the current situation of human resources (HR) autonomy in Moldova. HR autonomy is defined as the right of the university to develop and implement its own recruitment, salary and promotion strategies and operating procedures. HR autonomy is supported by the following mechanisms: hiring, monitoring, motivation, and flexibility.

Hiring mechanisms involve developing and implementing unified procedures for hiring academic (teaching and research) and administrative (technical) staff. Monitoring mechanisms involve a periodic and permanent evaluation of academic staff's performance, ensuring healthy competition, personalized accountability and a customized approach to one's work in line with higher education institutions objectives. Motivation mechanisms involve applying clear and non-discriminatory stimulating procedures for academic (and technical) staff, as well as sanctions. Flexibility mechanisms involve setting efficient procedures for determining the optimal number of academic and technical units, and applying employee layoffs as a university development measure.

The scope of the study was extended by analysing the relationship of HR autonomy with five interfaces that characterize the internal and external points of interaction between modern universities and key stakeholders. These interfaces are: Government–University; University Management–University Staff; University Staff–Students; University–Business, and University–Internationalization.

Following a developed research methodology, unobtrusive data in the form of laws regulating directly or indirectly the higher education system in Moldova, governmental and ministerial decrees, university chapters and organizational structures, and education records were collected and analysed. A total number of 26 documents have been analysed, adding up to approximately 1500 pages.

The analysis of the current situation of HR autonomy in higher education suggests that the involvement of the state in regulating HR activities of the universities is quite high, where laws and regulations governing labour relations are, largely, of general nature (and outdated), without taking into account the specifics of activities within universities.

The introduction of financial autonomy in January 2013 had a snowball effect on HR autonomy: universities became more autonomous in terms of establishing their own HR policies and regulations. Universities began adjusting their HR policies and regulations to the new realities by developing and implementing new payment/salary mechanisms, including new performance indicators. In this regard, data suggest that universities are very limited in deciding on the levels of remuneration, although there is flexibility in setting the incentive payments and payments for awards.

Data further suggest that there is a lack of basic indicators for wage differentiation and of performance indicators based on well-defined and transparent criteria such as professionalism, continuous development, and organizational, functional and personal capacity. This deficiency also has an impact on the autonomy to decide on the termination of employment contracts. Separate hire for teaching and research adds to the complexity of academic staff evaluation.

The lack of well-defined and transparent performance indicators has also an impact on the relationship between the academic staff and the students. How do students evaluate staff, based on what criteria? And how are the evaluation results taken into account by the university management and what actions are undertaken to enhance or address the situation? Data suggest that these are still burning questions that are yet to be answered.

1.5.4. Academic Autonomy

The aim of the study is to evaluate the current situation of academic autonomy in Moldova. As national laws and regulations do not provide a definition of academic autonomy, for the purpose of this study academic autonomy is defined as university's freedom to decide on degree supply, curriculum and methods of teaching; on areas, scope, aims and methods of research. The scope of the study was extended by analysing the relationship of academic autonomy with five interfaces that characterize the internal and external points of interaction between modern universities and key stakeholders. These interfaces

are: Government–University; University Management–University Staff; University Staff–Students; University–Business, and University–Internationalization.

Following a developed research methodology, unobtrusive data in the form of laws regulating directly or indirectly the higher education system in Moldova, governmental and ministerial decrees, university chapters and organizational structures, and education records were collected and analysed. A total number of 50 documents have been analysed, adding up to approximately 3000 pages.

Data analysis reveal that universities enjoy a fairly large amount of academic autonomy when it comes to launching or terminating Bachelor's, Master's and PhD programmes; deciding on the type and form of examination and admission criteria; concluding student exchange and student mobility agreements; defining the needs and structure of student career support; and planning the content and the organization of the educational process.

Further, data highlight a number of issues at the level of academic autonomy. The process of authorising new BSc programmes (Cycle I) by the Ministry of Education is complex and cumbersome. The Government also sets quotas for admissions among the budgets places for the fee based studies for all cycles of studies. Although formally established, doctoral schools cannot establish PhD study programmes to enhance institutional research capacity. The mobility of students at all levels is stifled by the lack of knowledge of foreign languages. The introduction and promotion of modern studies are inhibited by the outdated Occupational Framework that details professional occupations as per all three cycles: Bachelor, Master and PhD.

Being a highly centralized system, Moldovan Higher Education and R&D sector is not very successful in overcoming the challenge of knowledge sharing between universities, research institutes and business enterprises. Research in universities is traditionally weaker than in the academy and research institutes' sector. Limited financial and human resources, quite poor infrastructure and weak incentives for individual researchers make the development of the knowledge sharing problematic. At the university level, there is no clear separation of teaching and research workloads. In relation to the latter, there are no formal planning, evaluation, funding and incentives mechanisms for research activities of the academic staff. This primarily is due to the fact that universities are seen by policy makers as teaching institutions with no or limited research attributes and adequate funding.

1.6. Dissemination of Results and Impact

WP2 commenced just at the same time when the Government of Moldova made changes to the financial autonomy of universities, allowing them inter alia to open own bank accounts in a bank of their choosing, and keep and transfer the balance for the next reporting year (GD 983, 2012). At the same time, the Ministry of Education together with the Higher Education community started working on the Code of Education that was approved by the Government in June 2014, yet to be voted in the parliament (<http://edu.md/ro/evenimentele-saptaminii/codul-educa-iei-a-fost-aprobat-de-guvern-15969/>). The draft of

the Code of Education was heavily debated with lots of inputs from rectors, vice-rectors and heads of faculties and departments who took part in various EUniAM project activities. For example, after study visits to EU Universities, Vice-minister of the Ministry of Education, rectors and vice rectors have changed their opinion regarding the structure of the university Governance and Management, Council and Senate, the role of the students in the university life and initiated debates at the Rectors Council. Another example is that the Vice-Minister proposed to use the Danish approach for the calculation of the cost per student when the state finances universities.

Another event that contributed to the current debate in Moldovan universities, which was organized by the EUniAM project, was the International Conference on “A Quest to (Re)define University Autonomy” (<http://www.euniam.aau.dk/international-conference/>). Over 35 speakers, of which 17 from EU countries and 100 local attendees took part in the conference. A number of issues presented and discussed during the conference influenced the current debates on university autonomy. For example, separation of powers and conflict of interests in the governance and management of universities; threats coming from internationalization and globalization activities in higher education; need to have a modern university with a mission to teach, research, and transfer knowledge and not just university that teaches; external funding and internal funding sources and allocations; and understanding the role of university in the society.

1.7. Concluding Remarks

As in any other context, maybe in emerging economies, to a greater extent, institutional university autonomy is a ‘moving target’, constantly changing. The experience of the EUniAM Task Force teams during the evaluation period is not an exception. Data collected in 2013 for the purpose of WP2 have changed dramatically since then and the Task Force teams made everything possible to account for those changes in the revised reports that they drafted in 2014. At the same time, the findings and results of the evaluation studies contributed to a great extent, directly and indirectly, to the current debates on university autonomy legislation in Moldova. In WP4, the findings and results of these evaluation studies will be used together with findings and results of benchmark analysis from WP3 to develop legislative proposals on enhanced institutional university autonomy in Moldova.

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Appendixes

Appendix 1: Data collection template

Interfaces	Organizational autonomy
Government - University Management – Staff Staff – Students University – Businesses University – Internationalization	

Interfaces	Financial autonomy
Government - University Management – Staff Staff – Students University – Businesses University – Internationalization	

Interfaces	Staffing autonomy
Government - University Management – Staff Staff – Students University – Businesses University – Internationalization	

Interfaces	Academic autonomy
Government - University Management – Staff Staff – Students University – Businesses University – Internationalization	

2. EVALUATION OF EXISTING SITUATION OF ORGANIZATIONAL AUTONOMY IN MOLDOVA

2.1. Introduction

Purpose

This report aims to analyse the extent to which organizational autonomy is now manifested and regulated in both public and private Moldovan universities. It is expected that the results of the analysis of the situation in this area will contribute to the development of specific proposals for strengthening this type of university autonomy, in particular, and academic autonomy, in general.

Definitions

Existing government documents do not provide explicit definitions of organizational autonomy. For example, the Law on Higher Education, No. 547 of 1995, provides a general definition of university autonomy, which contains some elements of organizational autonomy – these will be discussed in Chapter 3 in detail.

Given the lack of definition of organizational autonomy in national regulatory documents, we define organizational autonomy, according to Estermann and Nokkala (2009, 2011), as the university's ability to decide on:

- organizational structures and institutional governance – especially the ability to establish governing structures and bodies, university management, and the order of subordination;
- procedures and criteria for selecting the Executive Director and his / her dismissal;
- the term of office of the Executive Director;
- the inclusion and selection of external members in the management;
- academic structures;
- establishing legal entities.

In addition, we extend the definition of organizational autonomy by analysing its relationship with five interfaces that characterize the internal and external points of interaction between modern universities and key stakeholders. These interfaces are:

Government – University; University Management – University Staff; University Staff – Students; University – Business, and University – Internationalization.

Methodology

To achieve the above objective, we carried out desk research. We collected and analysed secondary data derived from laws regulating directly or indirectly the higher education system in Moldova, governmental and ministerial decrees, state and private university charters and internal organizational and academic structures. The list of revised data

is presented in Annex 1. The data collection process followed the generic methodology developed by the EUniAM project team (Annex 2). The data was collected and analysed by a team of four people.

Report Structure

Following this introduction, Chapter 2 describes the research methodology used in this study. Chapter 3 presents the results and reveals the degree to which organizational autonomy is currently manifested and regulated in Moldovan universities. Chapter 4 analyses and interprets these findings in relation to the five interfaces identified. Chapter 5 concludes the report.

2.2. Methodology

Introduction

This chapter describes the research methodology used to achieve the objective of the report, which is to analyse the extent to which organizational autonomy is now manifested and regulated in Moldovan universities, both public and private. We continue this chapter by describing the type, sources, and analysis of collected data.

Data Collection

Desk research was carried out to collect secondary data derived from laws, governmental and ministerial decrees, and university statute, regulating, directly or indirectly, the higher education system in Moldova, internal organizational and academic structures of the university. In addition to external, governmental and ministerial data, we collected internal data from four state universities: State University of Moldova, Technical University of Moldova, Agrarian State University of Moldova, and State University of Medicine and Pharmacy „Nicolae Testemițanu”. We chose these universities based on the following criteria: experience and share in the educational market, relevance and visibility of research activity, joint coverage of most professional areas in which professionals are trained.

We reviewed and analysed 30 documents, adding up to a total of approximately 1400 pages. The list of revised data is presented in Annex 1. Electronic copies of the reviewed materials in Annex 1 are available on the project intranet: <http://euniam-moodle.samf.aau.dk/>. The data collection process followed the generic methodology developed by the EUniAM project team (Annex 2).

Data Analysis

Firstly, the project team reviewed the identified external (governmental and ministerial) and internal (university) documents (see Annex 1), in order to review the properties and indicators of organizational autonomy implicitly contained in these documents. In this case analysis, we specified the properties and indicators of organizational autonomy

as defined by Estermann and Nokkala (2009, 2011), as well as those defined by the generic methodology project. The list was further extended through a brainstorming at the analysis stage (Table 1).

After understanding how organizational autonomy is exercised and regulated in the Republic of Moldova, the next step was to do a cross-case analysis to identify, for instance, the potential impact of organizational autonomy on the five interfaces which are part of the institutional autonomy of universities, namely: Government – University, Management – University Staff; University Staff – Students; University – Business and University – Internationalization. The potential relationships and impact are shown in Table 2.

Table 2.1: *Understanding of Organizational Autonomy in the Republic of Moldova*

Properties / indicators	Source (title and quote source)	Comments / Description
Implementation of university governance	Law on Education, Art. 46 (par. 1, let. e) Law on Education, Art. 48 par. 3	<i>Administrative bodies</i> in higher education institutions are: University Senate of the education institution, chaired by the Rector; Office of the University Senate, composed of the Rector, Vice-Rectors and Scientific Secretary; Administrative Council; Faculty Council; Scientific Council of the department. Higher education institution is run by the University Senate, chaired by the Rector.
Implementation of university management	Law on Education, Art. 48 par. 3:	The operational management of the higher education institution is carried out by the Office of the University Senate, chaired by the Rector. The same structures constitute both the governance and the management of the university. There is no separation of “legal” and “executive” powers. Subordination and responsibility is also unclear, given that the Rector is the person who chairs both the governing body and the executive management body.
Selection procedure for the executive management	Law on Education, Art. 48 par. 4:	Rectors of state higher education institutions are chosen on a competitive basis by the institutions’ Senate. The Government confirms the Rectors state higher education institutions in their position.

Properties / indicators	Source (title and quote source)	Comments / Description
Selection criteria for the executive management	Regulation on the Organization and Conduct of the Competition for the Position of Rector of the Higher Education Institution, Government Decree No. 112 of 28.02.1996	Candidates – Moldovan citizens with academic titles and degrees (usually, Dr. habilitate, university professor), according to the profile of the higher education institution, with a minimum of 10 years of experience in academic activity, including 5 years of teaching in universities, who speak the official language of the Republic of Moldova and are (usually) under the age of 60.
Term of office of the executive management	Regulation on the Organization and Conduct of the Competition for the Position of Rector of the Higher Education Institution, Government Decree No. 112 of 28.02.1996	The relevant ministry signs an employment contract with the Rector, confirmed by the Government for a period of 5 years.
Procedure for dismissal of the executive management	Regulation on the Organization and Conduct of the Competition for the Position of Rector of the Higher Education Institution, Government Decree No. 112 of 28.02.1996	The employment contract may be terminated before its expiry by decision of the Senate, passed by two thirds of the total membership of the Senate, supported by the ministry and confirmed by the Government.
Capacity to decide on academic structures	Law on Education, Art. 48, par.1 Regulatory Framework of the Faculty of Higher Education Institution and Regulatory Framework of the Department of the Higher Education Institution, Annexes 1 and 2, by Ministry of Education Order No.671 of 06.08.2010.	The higher education institution consists of faculties, departments, chairs, laboratories and other units (<u>department</u>) of scientific research, design and micro-production. Establishment, restructuring and suspension of the faculty's activity take place at the proposal of the Senate of the educational institution, with the approval of the Ministry of Education (ME) / line ministry. The establishment and suspension of the Department is determined by the Faculty Council and confirmed by the higher education institution Senate, with the approval of the line ministry.

Properties / indicators	Source (title and quote source)	Comments / Description
Capacity to establish legal entities	Law on Education, Art. 49 (par. 2, let. h).	University autonomy is mainly achieved through the possibility to create public institutions, with the approval of the founder: research and innovation institutions, experimental and academic centres, university clinics, university hospitals, academic stations and fields, university business incubators, sports clubs and creative studios. These institutions carry out non-commercial activities, following strictly the non-profit principle.

Table 2.2: *Relationship between Organization Autonomy and academic interfaces*

Interface	Relationship (incl., quotes)	Impact
Government – University	Law on Education, Art. 40 (par. 5, 7, 8)	There are a number of procedures related to establishment/liquidation of a HEI. The Ministry of Education proposes the establishment, restructuring or liquidation of state higher education institutions, and submits the proposals for the examination of the Government. The Government approves the proposals of the Ministry of Education regarding the establishment, restructuring or liquidation of a higher education institution and submits them for the approval of the President of the Republic of Moldova. The President of the Republic of Moldova decides upon the approval of the Government's proposals to establish, restructure, or liquidate a state higher education institution. Although the President of the Republic is the ultimate decision-maker on the establishment / liquidation of a HEI, the title of founder of the HEI belongs to the Ministry of Education – a negative impact, since it does not exclude the political factor influencing the HE system.

Interface	Relationship (incl., quotes)	Impact
	Law on Education, 1995, Art. 46 (parl. 1, let. e) Law on Education, 1995, Art. 48 par. 3	Administrative bodies in higher education institutions are University Senate, chaired by the Rector; The Office of the University Senate, consisting of the Rector, Vice-Rectors, and Scientific Secretary; Administrative Council; Faculty Council; Scientific Council of the Department. The higher education institution is headed by the University Senate, chaired by the Rector. The management of the institution of higher education is provided by the Office of the University Senate. No separation of powers; problems with accountability, conflict of interest, etc.
	Law on Education, 1995, Art. 48, par.1	Academic structures. The higher education institution includes faculties, departments, chairs, laboratories and other units (<u>department</u>) of scientific research, design and micro-production. The establishment, restructuring and suspension of a faculty/ department require the approval of the Ministry of Education. Negative impact: the requirement for ME's approval, although a formality undermines the principles of university autonomy.
	Republic of Moldova Government Decree, No. 112 of 28.02.1996. Annex to the Order of the Ministry of Education No. 697 of 04.11.2011	Elections to the supreme governing body, the University Senate, and other governing bodies of the University are governed by the Regulations on taking up management positions and electing governing bodies in higher education institutions in the Republic of Moldova. The Rector of the higher education institution is elected according to the Regulation on the Organization and Conduct of the Competition for the Position of Rector of the Higher Education Institution. The Rector elected by the HEI Senate takes up his duties following approval by the Government.

Interface	Relationship (incl., quotes)	Impact
Management – University Staff	Annex to the Order of the Ministry of Education No. 697 of 04.1.2011; Regulation on Taking up Academic Positions in Higher Education Institutions No. 854, Annex 3 to the Code of Science and Innovations of the Republic of Moldova; Labour Code of the Republic of Moldova (2003).21.09.2010, Regulation on the Attestation of Highly Skilled Scientific and Academic Staff; Government Decree, No. 112 of 28.02.1996; Regulation on the Organization and Conduct of the Competition for the Position of Rector of the Higher Education Institution.	The participation of university staff in the governance process. According to the Regulations on Taking up Management Positions and Electing Governing Bodies in Higher Education Institutions in the Republic of Moldova: representation of academic staff in the university Senate is 65-75%, while that of the support staff is 5-10%; 75-80% of the Faculty Council consists of academic staff members. Participation rate in electing members of the governing bodies of the university, faculty, and department. Management – staff relations are regulated: participation, through members of the Senate, in the election of the Rector of the higher education institution.
University Staff – Students	Annex to the Order of the Ministry of Education No. 697 of 04.11.2011; Regulation on the Organization and Conduct of the Competition for the Position of Rector of the Higher Education Institution, Government Decree, No. 112 of 28.02.1996.	Participation, through student-members of the Senate, in the election of the Rector of the higher education institution. Students' participation in the process of governance, alongside the academic and support staff, having a representation of 20-25% in the Senate and the Faculty Council. Regulations on Taking Up Management Positions and Electing Governing Bodies in HEI in Moldova. Positive impact, but quite weak, considering a reluctant academic staff and lack of initiative on the part of students.

Interface	Relationship (incl., quotes)	Impact
University – Business	Law on Education, 1995, Art. 35	It stipulates the organization of adult education in various forms of training, including universities. The relationship between universities and the business world is often reduced to the agreements regarding provision of internships for students. Most public and private business organizations, however, are very reluctant in this respect. Most often, internships are a formality, barring students from being involved in the actual work of the organization.
University – Internationalization	Law on Education, Art.49, par. 2, let. 1) Ministry of Education Order No. 442 of 19.09.2005	University autonomy is achieved by establishing cooperation relationships with various educational and scientific institutions, centres and organizations in the country and abroad. Cooperation agreements with universities, international organizations must be coordinated with the Ministry of Education in order to obtain its permission to sign the documents. There is no law regulating the recruitment of foreign students, clearly defining the rights and responsibilities of the main actors, and stipulating the distinction between a university and an economic agent that invites foreigners to work. Negative impact, undermines the lawful university autonomy. European and American students are not interested in studying in Moldova. There is certain interest on behalf of students from developing and/or terrorism-risk countries, for which the Moldovan Migration Office rarely agrees to provide residence permits. And in case of deportation, the university could be required to cover the expenses.

Conclusion

This chapter presents the research methodology used to meet the objective of the study. We collected and analysed secondary data derived from government and ministerial documents and internal documents of four state universities. We carried out an internal and cross-case analysis of organizational autonomy. The next chapter - Chapter 3 - will discuss the results obtained during the case analysis (Table 1). Then, Chapter 4 will discuss the findings that emerged from the cross-case analysis of organizational autonomy (Table 2) and the five interfaces of institutional autonomy of universities.

2.3. Understanding Organizational Autonomy

Introduction

In this chapter we aim to analyse and discuss the features and indicators of organizational autonomy of Moldovan higher education. Analysing a series of (governmental and ministerial) regulations and internal documents of selected universities (Annex 1), we developed a comprehensive framework of the extent to which organizational autonomy is now exerted and regulated in the higher education sector of Moldova (Table 1). The chapter presents this developing framework, supported by a number of cases that exemplify the main points.

2.3.1. Implementing University Governance

According to the existing legal framework (Art. 46 (par. 1, let. e)) of the Law on Education), the administrative bodies of a higher education institution are:

- University Senate, chaired by the Rector;
- Office of the University Senate, consisting of the Rector, Vice-Rectors, and Scientific Secretary;
- University Administrative Council, chaired by the Rector, is the body that assists the Senate Office in the operational management of the university and implements the Senate's strategic decisions; it consists of the Rector, Vice-Rectors, Deans, Department Heads;
- Faculty Council, chaired by the Dean – the highest governing body of a faculty, consisting of the Dean, Deputy Deans, Heads of Departments/Chairs, chairmen of the faculty and student union, and an equal number of subdivisions representatives, students and doctoral student;
- Scientific Council of the Department, chaired by the Head of Department.
- The structure and functions of higher education institution bodies are established by the University Charter, adopted by the Senate. This document regulates the functioning of higher education institutions.

At present, the Senate is the supreme governing body of the higher education institution and is elected for a five-year term. The method and procedure for electing the Senate are stipulated in the Regulations on Taking up Academic and Management Positions and Electing Governing Bodies in Higher Education Institutions in the Republic of Moldova (Annex to the Order of the Ministry of Education, No. 697 of 04.11.2011). Members of the Senate are usually Dr. habilitate and professors. The election committee consists of one representative from the administration, faculty, subdivisions and trade union committees of the educational institution, elected by open voting at faculty councils and meetings of the respective subdivisions. The election committee elects its chairman and secretary. The nominal composition of the committee, the president and secretary are confirmed by order of the Rector, for a period of five years.

The election committee and the Rector determine the total number of members of the Senate and representation share for each faculty and subdivision, taking into account the

following ratio: **academic staff – 65-75%; students, PhD students – 20-25%; support staff – 5-10%.** The Rector, Vice-rectors, Deans, Union Presidents, Library Director, IT Centre Director, Masters and PhD School Directors, Directors of affiliated institutions and university colleges are members of the Senate by virtue of their positions. The maximum number of Senate members is **101**. The number of each faculty / subdivision representatives to the Senate, in accordance with the University Charter, is determined according to the principle of equality of faculties, departments and divisions. Senate elections are held within 15 days after their announcement. Members of the Senate are elected at the general assembly of the academic staff of each faculty (subdivision) through open or secret voting. Members of the support staff, students and PhD students are elected at the general meetings of their bodies or at the meeting of their representatives, by open or secret voting. Election results are recorded in an official report. At least one member of the election committee must supervise the election at each faculty (subdivision) to ensure conformity with rules and procedures. Within 5 days, the election committee submits the report to the Rector; it will be kept on record for the duration of the Senate's mandate.

The Rector is the Chairman of the Senate. The Secretary of the Senate is appointed by order of the Rector. Membership to the Senate is confirmed by order of the Rector within 10 days after receiving the election committee's report. Complaints regarding the election process may be addressed to the Ministry of Education and line ministry within 5 days from the conclusion of the elections. If the authorities find violations of the provisions of the Regulation, new elections are announced.

2.3.2. Implementing University Management

In accordance with Article 48 p. (3) of the Law on Education, the management of a higher education institution is provided by the Office of University Senate. The Senate Office consists of the Rector (Chairman of the Office), the Vice-Rectors and Scientific Secretary of the Senate, as provided by the Law on Education, Art. 46 (par.1, letter e).

The Law on Education defines one more administrative body – the University Administrative Council, chaired by the Rector. This is the body that assists the Senate Office in the operational management of the university and implements the Senate's strategic decisions and consists of the Rector, Vice-Rectors, Deans, and Heads of Departments.

The highest governing body of a faculty is the Faculty Council and consists of the Dean, Vice-Deans, Heads of Departments, faculty and student union presidents, and an equal number of subdivision, students, and doctoral student members.

According to the Regulations on Taking up Academic and Management Positions and Electing Governing Bodies in Higher Education Institutions in the Republic of Moldova (Annex to the Order of the Ministry of Education, No. 697 of 04.11.2011), the executive management is formed of the Rector, Vice-Rectors, Deans, Vice-Deans, the Head of the Education Department, Heads of Departments.

2.3.3. The Executive Management Selection Procedure

The Rector is elected on a competitive basis by the Senate, with the exception of Rectors of higher educational institutions subordinated to the Ministry of Interior Affairs, Ministry of Defence and the Intelligence and Security Service of the Republic of Moldova, who are appointed by these authorities. The election of the Rector is subject to the Regulation on the Competition for the Position of Rector of Higher Education Institution, by Government Decree No. 112 of 28.02.1996.

Under this regulation, the competition for the position of Rector is announced two months before the end of the current Rector's term as stated in the employment contract or within one month from the date when the position of Rector, for whatever reason, has become vacant. The line ministry places an advertisement in the national press describing the terms and conditions of the competition. Candidates for the position of Rector are proposed by the governing bodies of faculties, departments, divisions, colleges and trade union organizations of higher education institution.

When the Board of the Ministry of Education confirms that the Rector was elected in accordance with the requirements of this Regulation, the newly elected Rector awaits Government approval. The Rector is considered on duty after his confirmation by the Government. Otherwise, a new competition is organized.

The Rector appoints and dismisses the Vice-Rectors and Heads of Education Departments, with the consent of the Ministry of Education and line ministries. The number of Vice-Rectors for each institution is determined by the Ministry of Education and line ministries, based on the Rector's proposal.

The positions of Deans, Heads of Departments / chairs are filled through public competition. The elections for the position of Chief of Department are organized by the Senate's contest committee. Candidates' files with the Rector's approval of admission to the competition are available to the Faculty Dean. The Dean presents each candidate at the department meeting chaired by the Dean. The further procedure is similar to the one applied in the case of teaching positions (see Government Decree, No. 854 of 21.09.2010, p.20 for the Regulation on Filling Teaching Positions in Higher Education Institutions).

Elections for the positions of Dean / Department Chair are covered by the Regulation on Taking up Management Positions and Electing Governing Bodies in Higher Education Institutions in the Republic of Moldova (Annex to the Order of the Ministry of Education, No. 697 of 04.1.2011).

Whenever a new department is created, the position of Head of Department is filled by contest. The Head of Department is then appointed by order of the Rector. If the Head of Department Head fails to be elected by repeated election, the Rector appoints someone to the position until the next re-election. In the event of department division, the head of the divided department is appointed by the Rector in the function of head of the one of the newly created departments until the deadline for the competition.

The election of the Faculty Dean is organized by the Senate's contest committee, which registers candidates and supervises the contest. Candidates are proposed by the departments of the Faculty, the Faculty Council, faculty union committees, or an academic member tenured at that faculty.

The election of the Dean at the Senate adheres to the following procedure:

- The Chairman of the contest committee designates a case committee, consisting of 2-3 of its members, to organize and supervise election to management positions.
- The case committee announces the contest at the faculty and registers candidates to the position of Dean. It organizes and chairs the faculty general assembly debating on the candidates and their programs, announcing the names of the candidates a week in advance. The general assembly represents the teaching-scientific and student body in a quantity of not less than 1/5 and not more than 1/4 of the members of the general assembly of the faculty.
- The case committee presents the general assembly's decision regarding the candidates to the contest committee, which was approved by open or secret vote.
- The contest committee approves the decision of the general assembly to support or reject candidates recommended by the general assembly.

All applications considered at the general meeting of the scientific-teaching and student bodies of the faculty are included in the ballot for the Senate meeting.

2.3.4. Criteria for Selecting the Executive Management

To be eligible for the position of Rector, candidates must be Moldovan citizens with teaching and scientific titles and degrees (usually, doctor habilitate, university professor) corresponding to the profile of the higher education institution, with at least 10 years work experience in the academic field, including five years of teaching in university education, who know the state language and are (usually) under the age of 60.

The general eligibility criteria for the candidates for the position of Dean and Head of Department / Chair are to be citizens of the Republic of Moldova, to possess a scientific degree and title in the relevant field, to know the state language, and to be under the retirement age (Government Decree, No.854 of 21.09.2010, p.35). Candidates to the position of Head of Department may be title-holders in the respective institution, as well as specialists from other education or scientific research institutions.

2.3.5. The Term of Office of the Executive Management

The *Regulation on the Organization and Conduct of the Competition for the Position of Rector of the Higher Education Institution*, Government Decree, No. 112 of 28.02.1996 states that the line ministry signs an employment contract with the Government-approved Rector for a period of five years.

Under the Regulations on Taking up Management Positions and Electing Governing Bodies in Higher Education Institutions in the Republic of Moldova, the positions of Deans and Heads of Departments /Chairs are occupied by competition for a period of five years. The same person may hold the position of Dean or Head of Department for more than two consecutive terms. Doctors habilitate and university professors may apply for the third consecutive term.

2.3.6. Procedure for the Dismissal of the Executive Management

According to the same Regulations, employment contracts may be terminated by the decision of the Senate before their expiry, passed by two thirds of the total members of the Senate, supported by the line ministry and confirmed by the Government. The reason for termination is not regulated. We did not find any normative provisions referring to the dismissal of Deans and Heads of Departments.

2.3.7. Capacity to Decide on Academic Structures

The structure of the university is stipulated in the Law on Education, Art.48, par.1. The higher education institution includes faculties, departments, laboratories and other units (wards) of scientific research, design and micro-production.

The establishment of faculties and intra-university management structures (faculty councils, etc.) is approved by law or by rules adopted within the law. For example, a faculty can be established, restructured, or suspended at the proposal of the Senate, with the consent of the line ministry (Regulatory Framework of the Faculty of Higher Education Institution, Annex 2 to the Ministry of Education Order No. 671 of 06.08.2010). A faculty department is established at the proposal of the faculty, by the decision of the Faculty Council, which must be confirmed by the Senate, in consultation with the line ministry (Regulatory Framework of the Department of Higher Education Institution, Annex 1 to the Ministry of Education Order No. 671 of 06.08.2010). A university can be established and can activate under the Constitution, the Law on Education and the current legislation.

2.3.8. Capacity to Establish Legal Entities

Article 49 (par. 2, let. h) of the Law on Education defines the possibility to establish public institutions, with the consent of the founder, like: research and innovation institutions, experimental and academic centres, university clinics, university hospitals, teaching resorts and fields, university business incubators, sports clubs and creation studios. In accordance with these provisions, higher education institutions can carry out non-commercial activities, strictly following the non-profit principle.

2.4. Interfaces of Organizational Autonomy and Institutional Autonomy

Introduction

This chapter looks at the relationship between organizational autonomy and the five interfaces that make up the institutional autonomy of universities: Government – University; University Management – University Staff; University Staff – Students; University – Business, and University – Internationalization. In addition, we have analysed the existing or potential impact of organizational autonomy on these interfaces. The main focus of the chapter is the emergent framework of these relationships, presented in Table 2.

2.4.1. Government – University Interface

A university can be established and can function in conformity with the Constitution of the Republic of Moldova, the Law on Education and the legislation in effect. The establishment of a university is regulated by article 401 (par. 5, 7, 8) of the Law on Education that stipulates public authorities' competencies in establishing, reorganizing, and liquidating state education institutions. According to this article, Ministries and relevant departments put forward proposals to establish, reorganize, or liquidate state high schools, vocational, specialized, and higher education institutions, subordinated to the central public authorities, and submit them for review to the Ministry of Education. The competencies are further distributed as follows:

The Ministry of Education:

- Makes decisions regarding the proposals of education departments, local public authorities of the second level, interested ministries and departments regarding the establishment, reorganization, or liquidation of state institutions of general secondary education, upper secondary, and vocational secondary education;
- Proposes the establishment, reorganization, or liquidation of state institutions of upper secondary, special, vocational secondary, complementary, specialized secondary and higher university studies, subordinated to central public authorities, and submits them for review to the Government.

The Government:

- Takes decisions on the Ministry of Education's proposals to establish, reorganize, or liquidate state institutions of upper secondary, special, vocational, complementary, and specialized education, subordinated to the central public authorities;
- Confirms the Ministry of Education's proposals to establish, reorganize, and liquidate state institutions of higher education and submits them for review to the President of the Republic of Moldova;
- Examines and presents proposals to establish, reorganize, or liquidate scientific research institutions and staff development institutions and submits them for approval to the President of the Republic of Moldova.

The President of the Republic of Moldova decides on Government proposals to establish, reorganize, or liquidate state institutions of higher university education.

Moldovan Universities are acknowledged according to a specific accreditation. In general, the accreditation process has two phases:

- Licensing, granting the right for provisional organization and functioning;
- Accreditation, granting all rights provided by the current law.

State institutions require only accreditation. According to article 35(3) of the Law on Education, after the accreditation process, adult education institutions can obtain the right to autonomy, as established by the law. University accreditation is obtained after the first graduation examination of the respective study level. To obtain accreditation, the institution will need to have at least 60 % of the teaching staff employed full-time in the respective unit and corresponding to the national education standards. If the educational institution is not accredited during the academic year, with the approval of the Ministry of Educa-

tion, graduates of that year may take graduation exams in an accredited institution. Diplomas or certificates issued by accredited private educational institutions are recognized as equivalent to academic qualifications issued by state educational institutions, only if the graduation exams were held in accordance with state educational standards, in the presence of committees formed by the Ministry of Education in accredited educational institutions (Law on Education, Art.36 (10)). The Government may also intervene in the activity of higher education institutions to approve the elected Rector and Vice-Rectors proposed by the University Senate.

2.4.2. University Management – University Staff Interface

The University Management – University Staff relationship in the context of organizational autonomy is reflected by the level of staff participation in university governance, the exertion of the right to participate in the election of administrative bodies, the level of participation in university governance of representatives of various staff groups, the right to elect the leader of the structure of which they are members, the way and norms with which the administration operates as an employer in the process of hiring and dismissing.

The staff's participation in the governance process is ensured by the fact that the university Senate is elected by members of the academic staff, who represent at least 75-80% of the total number. Excluding the default members of the Senate, the share of staff elected from the academic body is 60-65%. Through the members of the Senate, academic staff members participate in the election of the Rector and play an important role in passing Senate decisions.

The Senate of State University of Moldova has the following functions:

- Approves the Institutional Development Plan for the next 5 years, containing the visions, mission, the university development strategy and the main measures for its implementation;
- Plans, approves, monitors, and evaluates financial resources;
- Approves strategic decisions on the
 - ✓ asset management;
 - ✓ staff remuneration and motivation;
 - ✓ establishing fees for studies, accommodation, services, and works;
 - ✓ cooperation with entities from various fields;
 - ✓ financial resources management;
 - ✓ institutional management regarding intellectual property rights;
 - ✓ institutional management regarding the technology transfer process;
- Makes connections with the job market;
- Approves income and expenditures estimates.

The responsibilities of the Senate of State Agrarian University of Moldova are listed in the Statute in more detail:

- Developing the program of the university development strategy in conformity with the national education development strategy and international tendencies;

- Establishing the strategy for university research activities;
- Approving internal regulations according to the law in effect;
- Electing the Rector, Deans, and Department Chairs, Laboratory Director, professors and associate professors. The Rector is elected on a competitive basis and is approved by the Government;
- Organizing and carrying out contests for academic positions and submitting materials for granting “university professor, associate professor, and superior scientific researcher” titles to the National Council for Accreditation and Attestation (NCAA) of the Republic of Moldova;
- Awarding “Doctor Honoris Causa” titles;
- Submitting the list of specializations to NCAA in which the university trains academic staff through doctoral and post-doctoral programmes;
- Approving study plans and programmes and eventual modifications to them;
- Approving interuniversity cooperation agreements and initiating international scientific and academic relations;
- Analysing and approving the annual rector’s report regarding the university activity; confirming academic and technical-administrative subdivision and administrative board reports, and admissions and final examination results; approving study timetables for all specializations, and the nominal list of national and senate scholarship recipients; establishing the admissions methodology by respecting the general criteria provided by the Ministry of Education’s regulatory framework;
- Approving the number of places available for non-state funded study, at the proposal of faculty boards;
- Proposing candidates with high academic reputation and personal integrity for Moldovan science academy membership and supporting the candidates proposed by other institutions;
- Approving doctoral/postdoctoral thesis topics and scientific advisers;
- Approving the membership of specialized scientific boards and scientific conferences;
- Approving university policies and objectives related to the quality of education; appointing commissions for the main fields of activity;
- Performing any other duties established by law and regulations;
- Developing and approving the university structure and amendments to it;
- Establishing and awarding university medals in accordance with the law.

At faculty level, the participation of academic staff in the administration of the faculty is manifested by delegating electoral functions to the members of the Faculty Council. Its members are elected from among the faculty or department staff through direct voting during the elections of the Dean and faculty sessions for decision voting.

The management of the relations between administration and staff is regulated by several laws, including: Regulation on the attestation of scientific and scientific-teaching staff (Annex 3 of the Code on Science and Innovations of the Republic of Moldova), Regulations on the certification of academic staff developed according to the Law on Education of the Republic of Moldova, Art.50, Art.53, Art.54, par.10, and Art.56, p.(e), by Government Decree, No. 381 of 13.04.06, Regulation on Filling Academic Positions in Higher Educa-

tion Institutions, No. 854 of 21.09.2010, and the Labour Code of the Republic of Moldova (2003). Under Art.297, scientific and teaching positions in higher education institutions can be filled on the basis of an individual labour contract of limited duration (Art.55, pt. g) of the Labour Code), concluded according to the results of the contest.

2.4.3. University Staff – Students Interface

The University Staff – Students Interface is related to the impact of the quality of relations between the students and staff on organizational autonomy, the procedure for electing student representatives in governing bodies and university management, the role of student organizations in decision-making, and the level of academic staff involvement in student elections.

The principles of the Bologna Process are geared toward student and academic staff mobility in the European Area, ensuring university autonomy, active participation of students in the governance of education, public accountability for the quality of higher education and training of specialists in various fields, in accordance with the requirements of the current stage of development. This way, students' involvement in university administration and decision-making process appears to be a solid landmark that would strengthen this component of university autonomy.

In February 2011, the Parliament adopted the decision to increase the share of student representatives in the University Senates. If previously the Law on Education stipulated that students should represent a **maximum of 25%** of the members of decision-making bodies, from now on it is compulsory to respect the **minimum share of 20%** (Law No. 31 of 25.02.2011 for the amendment of Article 46 of the Law on Education No. 547-XIII of 21.07.1995). The presence of students is ensured in both the Senate and in Faculty Councils. According to the Regulation on Taking Up Management Positions and Electing Governing Bodies in Higher Education Institutions in the Republic of Moldova (Annex to the Order of the Ministry of Education, No. 697 of 04.11.2011), the election committee in agreement with the faculty Dean establishes the total number of members in the Faculty Council **and** the share of representatives for each department/subdivision (following the rights equality principle), taking into account the following ratio: **academic staff – 75-80%, students and PhDs – 20-25%**. The same ratio is maintained in the case of student representation in the university Senate.

2.4.4. University – Business Interface

Good governance in higher education has a direct impact on the development of the society. Strategic aims of universities are closely linked to the labour market of national and international socio-political nature. For these reasons, many higher education problems go beyond university walls and overlap or interfere with major societal problems. The current legal framework does not regulate university relations with business relations, although it does not limit them dramatically.

Article 35 of the Law on Education dedicated to adult education states that institutions of adult education can get the right to autonomy after accreditation, as required by law.

Funding for adult education institutions comes from sponsorships, donations and other legal sources.

The Education Code draft stipulates that the national educational system encourages social dialogue and the development and capitalization of lawful partnerships between educational institutions and the community, civil society, and business.

2.4.5. University – Internationalization Interface

We did not find separate documents on organizational autonomy in the University – Internationalization interface. Only Article 49 of the Law on Education, after the amendments of 2012, stipulates that university autonomy enables universities to manage the process of establishing collaboration relationships with various educational and scientific institutions, centres, and organizations in the country and abroad. Article 63 “International Cooperation” of the Law on Education mentions that international cooperation in the field of higher education is regulated by the legislation of the Republic of Moldova. The Ministry of Education is entitled to establish relations and to sign bilateral partnership agreements, to participate in international projects and events in the field of higher education and research. In addition, the Education Code draft specifies that, autonomy provides universities with the right to select national and international partners.

Currently, this activity is controlled by the Ministry of Education. The Ministry of Education Decree No. 442 of 19.09.2005, states that bilateral agreements with international universities and organizations must be coordinated with the Ministry of Education in order to receive its permission for signing.

Nowadays, Moldovan universities face a serious challenge in recruiting international students. There are objective reasons why students from the EU are not interested in studying in Moldova. The number of students from CIS countries is also decreasing. The majority of study requests come from citizens of underdeveloped or “risk” countries: Ghana, Nigeria, Bangladesh, India, Pakistan, Iran, etc. Student recruitment lies entirely on the shoulders of universities. Universities are the sole institutions responsible for the arrival, temporary residence in the Republic of Moldova and departure of foreign citizens who are or intend to become students of higher education institutions in the Republic of Moldova.

The only responsibility of the Ministry of Education is to issue a letter of approval or disapproval of the student’s admission, based on the document package of the foreign citizen submitted to the Ministry of Education by the university to which he/she applied. This document is a prerequisite for international students to be able to register with educational institutions in Moldova (Regulation on the Study of Foreign Citizens in Higher Education Institutions of the Republic of Moldova, Annex 1 to Government Decree, No. 746 of 21.06.2003).

After approval by the Ministry of Education, the university requests an invitation for the international student from the Migration and Asylum Bureau, subordinated to the Ministry of Internal Affairs, which might grant or refuse the invitation.

If, for any reason, the foreign citizen is to be deported and she/he has no means or refuses to pay the transportation costs, these expenses are covered by the university, accord-

ing to Art.71 of Law on the Status of Foreigners in the Republic of Moldova, No. 200 of 16.07.2010. In these conditions, being unable to cope with such demands, the university could refuse to admit foreign students, with the exception of those coming under government agreements (very few) and would not be able to achieve an important component of the process of higher education internationalization.

2.4.6. Conclusions

Currently, the higher education system is characterized by partial autonomy. The introduction of certain deregulations was absolutely necessary to streamline university processes. Consequently, university autonomy was sanctioned by the amendments to the Law on Education, other legal acts, and the draft of the Education Code, while the organizational component of autonomy is reflected in the universities' right to determine their organizational structure and to elect their administrative bodies. University autonomy is coupled with public accountability. Public accountability, in the spirit of the European university autonomy, compels any higher education institution to:

- Respect legal provisions, its own charter, and the national and European policies in the field of higher education;
- Ensure the quality of higher education;
- Respect equity and university ethics;
- Ensure the effective management of resources;
- Ensure the transparency of all university decisions and activities;
- Respect the academic freedom of staff, as well as the rights and liberties of students.

2.5. Conclusion and Next Steps

This chapter presents some results of the organizational component analysis, the condition of which was determined in the previous chapter. The analysis aims to highlight the strengths and weaknesses of the existing system, to be considered by policy makers when making improvements to the legislative framework referring to university autonomy.

Government – University Interface

- Universities encounter difficulties in the transition to university autonomy because of the incomplete implementation of the Bologna process on the 3-cycle studies and because of the absence of a legislative framework that would specify university actions on all segments of autonomy.
- Universities are to be transformed from budgetary institutions into public self-managed institutions.
- This requires the formation of a legislative framework that will determine the rights, jurisdiction, and obligations of universities at different levels of decision-making and manifestation of responsibility.
- The jurisdiction of the Senate should be reviewed so that it handles only academic issues (curriculum, study programs, titles); while the Managing Board handles university management issues (financial management, human resources management).

- Granting the right to open and close faculties at the discretion of the university.
- Universities will offer continuing post-graduate education programmes after their accreditation.

University Management – University Staff Interface

- The obligation to make transparent the budget, taxes, method of management, and internal management regulations at the level of faculties and departments.
- The obligation to present annual internal reports on quality management for approval by the Senate and further to make them open to the public.

University – Business Interface

- Active involvement of business representatives in advisory boards.
- Review of the Senate composition so that 5-10% of Senate members to be representatives of the founders (Ministry, Government) and representatives of professional associations, employers, trade unions.

University Staff – Students Interface

- Today, the student governance is inefficient.
- Effective participation of student representatives in decision-making (mandatory) and in managing a set of responsibilities (e.g. management of student accommodation, library, sports halls, etc.) through student associations.
- Limiting the number of students studying on contract basis according to the university capacities – its infrastructure and teaching potential.

University – Internationalization Interface

- The right of universities to seek accreditation of study programmes (cycles) that they are able to provide.

After having analysed the existing legal framework in Moldova, it becomes clear that universities are able to survive only if granted true organizational autonomy. Lately, the government has taken sustained measures to provide autonomy, but these are of a superficial nature. Relying primarily on financial autonomy, the Government has not endowed universities with enough freedom within other components of autonomy, particularly the organizational component. There are no laws that would allow the separation of the “legislative” power from the “executive” one. Currently, university autonomy seems to be partial, given that many important actions are under the control of the Ministry of Education or other superior entities. Universities are governed by intra-university components and are not always able to respond to life and labour market imperatives by quickly launching new specializations, faculties, and departments. Students have an insignificant role in university management, resulting in the alienation of youth from governance, which favours gap between generations, in particular with those who have experience in university management. In addition, there is no justification of lack of an operative body in university management that would be able to quickly make decisions regarding the strategic development of the university and analysis of perspectives.

Given the above, we consider it imperative to carry out a study of the experience of EU universities to identify strengths related to organizational autonomy, to analyse their impact on university efficiency, and to determine some solutions for higher education institutions in Moldova.

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4. Declaration on Academic Freedom and Autonomy of Higher Education Institutions (Lima, 10.09.1988);
5. Joint Declaration of the European Ministers of Education convened in Bologna on 19.06.1999;
6. European University Association, The EUA Lisbon Declaration – Europe’s Universities beyond 2010: Diversity with a Common Purpose, EUA, Brussels, May 2007;
7. Law on Education, No.547 of 21.07.1995, Art.49 par. (1), modified by LP178 of 11.07.12, MO190-192/14.09.12 Art.644; in effect on 01.01.13;
8. Law on the Status of Foreigners in the Republic of Moldova, No. 200 of 16.07.2010;
9. Labour Code of the Republic of Moldova, 2003;
10. Law No. 31 of 25.02.2011 for the amendment of Article 46 of the Law on Education No. 547-XIII of 21.07.1995;
11. Law on the approval of Regulations on the Evaluation and Accreditation of Education Institutions, No. 423 of 04.06.1999;
12. “Moldova 2020” National Development Strategy: Seven solutions for economic for economic growth and poverty reduction, approved by Law No. 166 of 11.07.2012;
13. Regulation on the Organization and Conduct of the Competition for the Position of Rector of the Higher Education Institution, Government Decree No. 112 of 28.02.1996;
14. Regulation on Taking Up Management Positions and Electing Governing Bodies in Higher Education Institutions in the Republic of Moldova, approved by the Collegium of the Ministry of Education Decision No. 24.4.3 on 19.03.1996;
15. Regulation on the Study of Foreign Citizens in Educational Institutions of the Republic of Moldova, Annex 1 to Government Decree No. 746 of 21.06.2003;
16. Regulation on the Attestation of Highly Qualified Scientific and Scientific-Teaching Staff, Annex 3 to the Code on Science and Innovations of the Republic of Moldova, 2004;
17. Regulation on Filling Academic Positions in Higher Education Institutions, approved by Government Decree, No. 854 of 21.09.2010;
18. Regulation on Taking up Academic and Management Positions and Electing Governing Bodies in Higher Education Institutions in the Republic of Moldova. Annex to order 697 of 04.11.2011.
19. Regulation on Certain Measures for the Implementation of the “Agreement on University Study Exchange Programmes in Central Europe (CEEPUS III)” in the Republic

- of Moldova, signed at Budva on March 25, 2010, approved by the Moldovan Government Decree, No. 454 of 25.06.2012;
20. Regulation on the Higher Education Institutions' Functioning in Conditions of Financial Autonomy, annex 1 to Government Decree, No. 983 of 22.12.2012;
 21. Republic of Moldova's Higher Education Strategy in the Context of the Bologna Process;
 22. Statute of the Public Institution State University of Moldova, approved at the Senate meeting on 26.02.2013;
 23. Statute of the Public Institution State Agrarian University of Moldova, approved at the Senate meeting on 04.01.2013;
 24. Statute of the State Higher Education Institution Technical University of Moldova, approved at the Senate meeting on 26.12.2006;
 25. Charter of the Public Institution State University of Medicine and Pharmacy "Nicolae Testemițanu", approved at the Senate meeting on 28.12.2012.

Appendixes

Appendix 2.1: Data sources

#	Type	Title
1.	Law	Law on Education, No.547 of 21.07.1995
2.	Law	Labour Code of the Republic of Moldova, 2003
3.	Law	Code on Science and Innovations of the Republic of Moldova, No. 259-XV of 15.07.2004
4.	Law	Law on the approval of Regulation on the Evaluation and Accreditation of Education Institutions, No. 423 of 04.06.1999
5.	Law	Law on the Status of Foreigners in the Republic of Moldova, No. 200 of 16.07.2010
6.	Law	Law on “Moldova 2020” National Development Strategy: Seven Solutions for the Country’s Economic Growth and Poverty Reduction, No. 166 of 11.07.2012
7.	Law	Law No. 31 of 25.02.2011 for the amendment of Article 46 of the Law on Education, No. 547-XIII of 21.07.1995
8.	RM Government Decree	Regulation on Certain Measures for the Implementation of the “Agreement on University Study Exchange Programmes in Central Europe (CEEPUS III)” in the Republic of Moldova, signed at Budva on March 25, 2010, No. 454 of 25.06.2012
9.	RM Government Decree	Regulation on the Study of Foreign Citizens in Educational Institutions of the Republic of Moldova, No. 746 of 21.06.2003
10.	RM Government Decree	Regulation on Filling Academic Positions in Higher Education Institutions, No. 854 of 21.09.2010
11.	RM Government Decree	Regulation on the Operation of State Higher Education Institutions in Conditions of Financial Autonomy, No. 983 of 22.12.2012
12.	RM Government Decree	Regulation on the Organization and Conduct of the Competition for the Position of Rector of the Higher Education Institution, No. 112 of 28.02.96
13.	RM Government Decree	Regulation on the Operation of State Higher Education Institutions in Conditions of Financial Autonomy, No. 983 of 22.12.2012
14.	RM Government Decree	Regulation on the Attestation of Highly Qualified Scientific and Scientific-Pedagogical Personnel, Annex 3 to the Code on Science and Innovations of the Republic of Moldova, 2004

#	Type	Title
15.	Decision of the Collegium of the Ministry of Education	Regulation on Taking Up Management Positions and Electing Governing Bodies in Higher Education Institutions in the Republic of Moldova, No. 24.4.3 of 19.03.1996
16.	Order of the Ministry of Education	Regulation on Taking up Academic and Management Positions and Electing Governing Bodies in Higher Education Institutions in the Republic of Moldova No. 697 din 04.11.2011
17.		Regulatory Framework of the Faculty of Higher Education Institution, Annex 2 to the ME order No.671 of 06.08.2010
18.		Regulatory Framework of the Department of Higher Education Institution, Annex 1 to the ME order No.671 of 06.08.2010
19.	Strategies	Republic of Moldova's Higher Education Strategy in the Context of the Bologna Process
20.		Consolidated Strategy for the Development of Education for 2010-2015. The Government of the Republic of Moldova and the Ministry of Education. Project, 2010
21.	Bill	Proposal for Public Policy initiated by the Ministry of Education: Development of Universities' Managerial Skills Through the Expansion of University Autonomy
22.		Education Code
23.	Report	Report on the Higher Education System in the Republic of Moldova
24.	Internal regulations of institutions	Statute of the Public Institution Moldova State University, approved at the Senate Assembly on 26.02.2013
25.		Statute of the Public Institution State Agrarian University of Moldova, approved at the Senate Assembly on 04.01. 2013
26.		Charter of the Public Institution State University of Medicine and Pharmacy "Nicolae Testemițanu", approved at the Senate Assembly on 28.12.2012
27.		Statute of the State Higher Education Institution Technical University of Moldova, approved at the Senate Assembly on 26.12.2006
28.	Declarations	Declaration on Academic Freedom and Autonomy of Institutions of Higher Education (Lima, 10.09.1988)
29.		Joint declaration of the European Ministers of Education convened in Bologna on 19.06.1999
30.		European University Association, The EUA Lisbon Declaration – Europe's Universities beyond 2010: Diversity with a Common Purpose, EUA, Brussels, May 2007

Appendix 2.2: Data collection method - Financial Autonomy

Part I.

Interface I Government – University	<p>What is the procedure for establishing a new University, department, school, and faculty?</p> <p>Do you have any periodical accreditation of University?</p> <p>Should government control the way the head of the university is selected?</p> <p>Should government appoint external members to university governing bodies? Should government regulate functions of university governing bodies?</p> <p>How is external control mechanism ensured?</p> <p>Is the university autonomy guaranteed by the law?</p> <p>Is the university able to set up its own regulations respecting the law?</p> <p>What is the degree of accountability that accompanies the autonomy of the university in the relation to the government?</p> <p>Has the university the right to create new organizational structures that are not defined in the law?</p> <p>Can the university establish its own mission?</p> <p>Can the university establish its institutional strategy?</p> <p>Does the university have the right to manage its internal affairs observing the law and its own regulations?</p> <p>Is a University officially recognized by the government by issuing and approving a law after the accreditation procedure?</p> <p>Is there a clear definition what UNIVERSITY means/is?</p> <p>Why should the government and society provide wide autonomy to universities?</p> <p>How is it possible to control the quality of university management in conditions of university autonomy?</p> <p>Which administration methods should be used in conditions of university autonomy?</p> <p>Would the university autonomy (in terms of transition to an efficient market economy) change the basic values and target of higher education institutions activity?</p> <p>Which is the degree of state control in terms of university autonomy?</p> <p>What are the risks in the organization and management of the autonomous university activity?</p> <p>Which is the organizational structure of the university in terms of university autonomy?</p> <p>Which is the order of management authority formation in an autonomous university?</p> <p>What are the basic guidelines for the organization of university autonomy?</p> <p>What are the impediments for the development of university autonomy within the country?</p> <p>Has the university the right to establish its own procedure for the selection/election of the head of the university?</p> <p>Should the government recognize the result of the selection/election of the head of the university?</p> <p>Can the government dismiss the head of the university?</p> <p>Should the term of office of the university management be established by the law (not by the government)?</p>
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Interface II University Management – University Staff	<p>Is the university more conservative and less likely to change, when governing bodies consist of internal members? Should the executive head of the university be selected only by internal members? Is the executive head of the university elected by internal members dependent on the staff and its needs? What is the impact of external members in governing bodies on the university management?</p> <p>Who takes the role of governing? What is the role of the university board? How is the power of strategic decision making and operational decision making shared?</p> <p>Who takes the leader role in the lowest possible unit of University (whether it is researcher or administrator)?</p> <p>Has the staff the right to elect the head of their own structures?</p> <p>Has the staff the right to propose new structures?</p> <p>What are the rights of the university academic structures and staff?</p> <p>Is the concept of the university management system accredited by an official Quality Agency?</p> <p>What are the basic indicators of the differentiated work payment in terms of university autonomy?</p> <p>What should the requirements be for the organization of the competition regarding vacancies in terms of university autonomy?</p> <p>Has the staff of each unit the right to elect their representatives for themselves in the upper management structures?</p> <p>Has the staff the right to create teams to solve specific research and teaching tasks?</p>
Interface III University Staff – Students	<p>What is the role of students in the university management?</p> <p>Will the quality of staff- students' relations increase if the autonomy level increases? Do external members bring changes to the study programme or the study process?</p> <p>What is the minimum percentage of students' representatives in the faculty councils and the Senate?</p> <p>Is the procedure for the election of students' representatives set by the students' organizations?</p> <p>Is the number of students and its repartition (state demand and other students) approved by a Quality Agency at the university proposal?</p> <p>How could staff and students of the university be interested in the autonomy?</p> <p>Can academic staff interfere in the students' election process?</p> <p>Can the university conclude study contracts with its students?</p>
Interface IV University – Business environment	<p>Are autonomous universities more attractive for business? Is the university, which has external members in its governing bodies, more reliable and open for business? What are the benefits of a university when it has business representatives in its governing bodies?</p> <p>Can business organizations or partners have an influence on the university structure?</p> <p>Does the university have the right to conclude business contracts or partnership agreement with companies?</p> <p>Does the university have the right and obligations to develop relations with economical environment and civil society at the organizational level?</p> <p>What is the interest of the local businesses in university autonomy?</p> <p>What does the growing interaction between universities and business consist of?</p> <p>Does the University have the right to set up cooperation relations with companies?</p>

Interface V University – Internationalization	<p>Is an autonomous university more open for international ideas? Does internationalization process encourage greater autonomy of university?</p> <p>Are external relations of the university controlled by the government?</p> <p>Are there limits regarding cooperation with universities abroad?</p> <p>Is a university involved in much international cooperation with other foreign universities?</p> <p>Is there a policy to attract foreign students? Do universities have this option?</p> <p>Can foreign universities open local branches/ study programmes/etc.?</p> <p>Does the university have the right to conclude cooperation agreements with other universities from abroad without the approval of the government?</p>
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Part II

Role of Government/Ministry

		Please tick	
1.	Does the Ministry of Higher Education exercise overall responsibility for Higher Education?	Yes	No
2.	If no, is this because federal or regional authorities exercise responsibility?	Yes	No
3.	Has the Ministry and/or regional government established an independent legal entity (“arm’s length”) body to allocate funding	Yes	No
4.	Is the Ministry supported in its policy making by a national advisory body?	Yes	No
5.	Is there a national Rectors’ Conference (an organisation representing the Rectors/Presidents of Higher Education Institutions (HEIs) or equivalent?	Yes	No
6.	Does this body represent the views of the Higher Education sector to Government?	Yes	No
7.	Does it comment on draft Higher Education legislation?	Yes	No
8.	Does the Ministry/Regional authority issue regulations for the structure of institutional governance?	Yes	No
9.	Does the Ministry/regional authority require HEIs to develop a strategic plan?	Yes	No
10.	Does the Ministry have to approve the HEI’s strategic plan?	Yes	No
11.	How frequently must such a strategic plan be submitted?	Please tick one	
	Every year		
	Every two years		
	Every three years		
	Longer period (please specify		
12.	Does the Ministry/Regional authority require an annual report from HEIs?	Yes	No
13.	Is there a national database on Higher Education activities? (Such a database would provide comprehensive data on all aspects of Higher Education which might include numbers of students – by age, sex, level, year of study, subject area, graduation, employment, full-time, part-time; numbers of staff by age, sex, subject area, seniority, full-time, part-time; numbers of research staff on a similar basis; information on funding and a range of other performance data).	Yes	No

14.	Would you describe this database as:	Please tick one box	
	Comprehensive?		
	Fairly comprehensive?		
	Not comprehensive?		
15.	Is there a national programme for 'leadership' development and training for Rectors and senior managers?	Yes	No
16.	Would all senior managers in Universities be expected to attend courses in leadership and management?	Yes	No

Institutional Governance and Management

17.	Would you describe state-funded Higher Education Institutions as autonomous? (Autonomy might be described as freedom for HEIs to run their own affairs, in particular in relation to staff, students, curriculum (teaching and examining), governance, finance and administration)	Yes	No
18.	Would you describe this autonomy as:	Please tick one box	
	Limited		
	High level?		
	Comprehensive?		
19.	Are Rectors / Presidents / Heads of Universities formally appointed by the Government?	Yes	No
20.	If yes, is there a selection procedure?	Yes	No
21.	Is the selection process 'open'?	Yes	No
22.	Is it restricted (e.g. to nominations from the institution concerned)?	Yes	No
23.	If the process is 'open' is the post advertised -	Yes	No
	Internationally?		
	Nationally?		
	Only within the Higher Education Institutions?		
24.	If the selection and appointment is an institutional responsibility, are any of the following elements parts of the process?	Yes	No
	A selection committee?		
	Voting by constituencies		
	External advertisement?		
25.	Is it possible to appoint a Rector from another country?	Yes	No
26.	Would you describe the Governance structure in your Universities in general as:	Yes	No
	Collegial / Democratic?		
	Executive / Managerial?		
27.	Do Universities normally have a Senate/Academic Council or equivalent?	Yes	No
28.	What are the powers of the Senate?	Yes	No
30.	What proportion of the members is ex officio?		

Evaluation of Existing Situation of Organizational Autonomy

31.	Who chairs the Senate-	Yes	No
	The Rector?		
	A Member of the Rectorate?		
	Other – Please specify		
32.	Is academic staff (excluding Deans and Heads of Department) represented in these bodies?	Yes	No
33.	If so, what proportion of the membership do they represent? (give a %)		
34.	Is academic staff elected?	Yes	No
35.	If so, are there constituencies? (e.g. by Faculty, by department, by seniority?)	Yes	No
36.	Are students represented in these bodies?	Yes	No
37.	If so, what proportion of the membership do they represent (give a %)		
38.	If not, are they Student Union office holders?	Yes	No
39.	Would external stakeholders (e.g. representatives of employers, trade unions, local/regional authorities, other educational institutions, distinguished members of the public) normally be represented in this body?	Yes	No
40.	Do Universities normally have a separate “decision making body” (Governing body / Council?)	Yes	No
41.	If so, what powers does it have?		
	[Need to insert an indicative list with tick boxes]		
42.	How are members appointed to this body -	Yes	No
	Ex officio? (give a %)		
	By nomination? (give a %)		
	Election? (give a %)		
43.	Is academic staff (excluding Deans and Heads of Department) represented in these bodies?	Yes	No
44.	Who chairs the meetings of the ‘Council’ -	Yes	No
	The Rector?		
	A ‘lay’ member of the Council?		
45.	If a ‘lay’ member, who appoints the chair -	Yes	No
	The Government?		
	The Council itself?		
46.	Are students normally represented in this body?	Yes	No
47.	Would external stakeholders (e.g. representatives of employers, trade unions, local/regional authorities, other educational institutions, distinguished members of the public) normally be represented in this body?	Yes	No
48.	If yes, how are they appointed -	Yes	No
	By the Government?		
	By the Rector?		
	By a nomination committee?		
49.	If yes, would they constitute 50% or more of the membership?	Yes	No
50.	In addition to the two bodies referred to above, do Universities normally have an advisory/supervisory body?	Yes	No

51.	If yes, how are the members appointed -	Yes	No
	By the Government?		
	By the Rector?		
52.	If yes, would this body have any representation from the institution other than the Rector/President?	Yes	No
53.	If yes, would the representatives be:	Yes	No
	Senior Managers?		
	Academics?		
	Students?		
54.	Who appoints the Rector -	Yes	No
	The Government?		
	The University Council?		
	An independent external body?		
55.	Do Rectors/Presidents have a written job description?	Yes	No
56.	Is the format of this job description proposed/agreed by the Ministry/Regional authority?	Yes	No
57.	If no, is it the responsibility of the University “decision making body”?	Yes	No
58.	If no, please indicate which other body.		
59.	Do Rectors/Presidents have a fixed term of office?	Yes	No
60.	If yes, please indicate the duration.	3 years	
		4 years	
		5 years	
		6 years	
		7 years	
		More than 7 years	
61.	Can the term of office be renewed?	Yes	No
62.	Is there an absolute limit to the term of office?	Yes	No
63.	Are Deans elected?	Yes	No
64.	If yes, who elects Deans?	Yes	No
	Academic Staff?		
	Administrative Staff?		
	Students?		
65.	Are Deans appointed?	Yes	No
66.	If yes, who appoints the Deans -	Yes	No
	The Government?		
	The Rector?		
67.	In either case, is there a fixed term of office?	Yes	No
68.	Can Deans be reappointed?	Yes	No
69.	Is there an absolute limit on the duration of the appointment of Deans?	Yes	No
70.	Do Deans have a formal written job description?	Yes	No
71.	Is the format of this job description proposed/agreed by the Ministry/Regional authority	Yes	No

Evaluation of Existing Situation of Organizational Autonomy

72.	If no, is it the responsibility of the University 'decision making body'?	Yes	No
73.	Are Heads of Department elected?	Yes	No
74.	Are Heads of Department appointed?	Yes	No
75.	If yes, who appoints the Deans -	Yes	No
	The Government?		
	The Rector?		
76.	Can Heads of Department be reappointed?	Yes	No
77.	Is there an absolute limit on the duration of the appointment?	Yes	No

Private Higher Education Institutions

		Please tick	
78.	Are there private Higher Education Institutions in your country?	Yes	No
79.	If yes, please indicate whether there are:	Yes	No
	A few		
	A large number		
80.	What proportion of the total do they represent (give a %)		
81.	Is the Governance of private Higher Education Institutions regulated by the Ministry?	Yes	No
82.	Do the same Governance regulations apply to private Higher Education Institutions as to State institutions?	Yes	No

3. EVALUATION OF EXISTING SITUATION OF FINANCIAL AUTONOMY IN MOLDOVA

3.1. Introduction

Purpose

The purpose of this report is to analyse the level of presence of financial autonomy in public universities of the Republic of Moldova, both at the level of manifestation, and at the level of regulation. It is expected that the results of analysis of the situation in this area will contribute to the elaboration of proposals for the development and consolidation of this type of university autonomy, in particular, and of University autonomy in general.

Definitions

Existing Governmental documents do not provide explicit definitions of financial autonomy. Given the lack of explicit definition of financial autonomy in national regulatory documents, we shall take the definition of organizational autonomy given by Estermann and Nokkala (2009, 2011) as the ability of universities to decide on:

- the extent to which they can accumulate funds and retain surplus budget funds;
- capacity of universities to establish tuition fees;
- their ability to borrow money from financial markets;
- capacity of investing in financial products;
- their capacity of issuing shares and bonds;
- their right to have land and buildings in ownership (Thomas Estermann & Terhi Nokkala, 2009).

In addition, we will extend the definition of financial autonomy by analysing its relationship with five interfaces that characterize the internal and external points of interaction between modern universities and key stakeholders. These interfaces are: government - university, university – university staff; university staff - students; university - business / business environment and university – internationalization.

Methodology

To achieve the above objective, we performed a desk research. Secondary data was collected and analysed deriving from laws regulating directly or indirectly the higher education system in the Republic of Moldova, Government Decrees, Charter of State Universities as well as internal regulations governing certain aspects of financial resources management. List of revised data is presented in Annex 1. In the process of data collection the generic project of methodology was followed designed by EUniAM team (Annex 2). Data was collected and analysed by a team of seven people.

Report Structure

Following this introduction, Chapter 2 describes the research methodology used in this study. Chapter 3 presents the results and discusses the level of financial autonomy which is now manifested and regulated in Moldovan universities. Chapter 4 analyses and interprets these findings in relation to the five interfaces identified. Chapter 5 concludes the report.

3.2. Methodology

Introduction

This chapter describes the research methodology used to achieve the objective of the report, which consists in analysing the extent to which financial autonomy is now manifested and regulated in state universities of the Republic of Moldova. We will continue by describing the type and sources of data collected, and the description of the analysis of such data.

Data Collection

Desk research was conducted by collecting secondary data derived from laws regulating directly or indirectly the higher education system in the Republic of Moldova, Government Decrees, Order of the Ministry of Finance and the Ministry of Education, University Charter and the organisational and academic internal structures of the university. In addition to external data, governmental and ministerial one, internal data were collected from six state universities: Technical University, Academy of Economic Studies of Moldova, Moldova State University, State University of Medicine and Pharmacy “Nicolae Testemițanu”, State Agrarian University. We have chosen these universities based on the following criteria: state universities; importance in training higher education specialists; diversity areas of specialists’ training; experience, supported by many years of activity on the education market, the large number of graduates, and the employability level of the graduates.

Another method employed the analysis of legal acts regulating financial activity of Moldovan universities. All these acts are listed as sources in the Reference chapter and are placed on project’s Moodle platform. The literature considering financial autonomy aspects in several European Union countries has also been studied. All group members contributed to this collective effort. Each member was assigned a task that has been performed.

Issues that seemed to be ambiguous or were treated differently by team members were solved through discussions within meetings held to discuss the matter or through phone conversations. All universities identified the same issues related to financial autonomy, actually identifying the lack of it thereof, before January 1, 2013, and partial autonomy after that date until nowadays, which issues have been highlighted in this report.

Thirty eight documents were reviewed and analysed adding up to about 2000 pages. The list of revised data is presented in Annex 1. Electronic versions of the analysed material (Annex 1) are available on project intranet: <http://euniam-moodle.samf.aau.dk/>. The generic draft methodology designed by EUniAM team was employed for data collection (Annex 2).

Data Analysis

The project team reviewed, firstly, the identified external documents (governmental and ministerial) and internal documents of the university (see Annex 1) in order to analyse the properties and indicators of financial autonomy implicitly incorporated in these documents. Within this case analysis properties and financial autonomy indicators were built as defined by Estermann and Hakki (2009, 2011), and defined in the generic project methodology. Via brainstorming during the analysis phase, the list was also extended (Table 1).

After understanding how financial autonomy is manifested and regulated in the Republic of Moldova, the next step was a cross-case analysis, for example, analysis of the potential impact which the financial autonomy could have on the five interfaces identified that are part of the institutional autonomy of universities, namely: government - university, university – university staff; university staff - students; university - business and university - internationalization. The potential relationships and their impact are shown in Table 2.

Conclusion

The research methodology used to achieve the objective of the study was presented in this chapter. Secondary data, derived from the government and ministerial documents as well as the internal documents of the six state universities, was collected and analysed. The analysis of internal and cross-case financial autonomy was carried out. The next chapter - Chapter 3 - will address the results obtained during the analysis of case study (Table 1). In Chapter 4 we will present the findings that emerged from the cross-case analysis (Table 2) of financial autonomy and the five interfaces of institutional autonomy of universities.

Table 3.1: *Understanding of financial autonomy in the Republic of Moldova*

Properties / indicators	Source (title and quote source)	Comments / Description
Ways of funding higher education	Law on Education, No. 547 of 21.07.1995; Government Decree on the Operation of State Higher Education Institutions in Conditions of Financial Autonomy, No. 983 of 22.12.2012; Government Decree on Annual Admission Plans for Secondary Vocational Education, Secondary Specialized Education and Higher Education;	Public higher education is financed from the public and own sources. State budget funding is done based on the state order (budget-financed number of units offered to cycle I, bachelor, and cycle II, master students)

Properties / indicators	Source (title and quote source)	Comments / Description
Methodology for allocation of financial resources	Government Decree on the Operation of State Higher Education Institutions in Conditions of Financial Autonomy, No. 983 of 22.12.2012	As reference for calculating the funds provided by the State Budget Law for educational services offered by institutions following the Plan (State Order) regarding specialist training, the volume of allocations is taken the one approved for the previous year, financially adjusted to the policies approved within the Medium-Term Budgetary Framework of the previous year and other factors that influence the amount of expenditure and state order, and expenditures for new policy measures.
Sources of private funding and their monitoring	Law on education No. 547 of 21.07.1995; Government Decree on the Operation of State Higher Education Institutions in Conditions of Financial Autonomy (Chapter VII), No. 983 of 22.12.2012;	Current normative acts provide multiple sources of income to be used by universities. Areas for their use are also determined.
University autonomy in setting tuition fees	Government Decree on the Special Funds of Institutions Under the Ministry of Education, No. 196 of 22.02.2007, Annex 1;	Since January 1, 2013, tuition fees are established by the university based on Government methodology and are coordinated with the founder.
Reporting of unused funds from year to year	Government Decree on the Operation of State Higher Education Institutions in Conditions of Financial Autonomy, No. 983 of 22.12.2012;	Since January 1, 2013 universities are entitled with this right
The right of universities to own estate	Government Decree on the Operation of State Higher Education Institutions in Conditions of Financial Autonomy, (Chapter V), No. 983 of 22.12.2012;	Universities do not have that right. The state is the owner. Universities have the right to manage the estate, to lease it and keep the money obtained.

Table 3.2: *Relationship between financial autonomy and academic interfaces*

Interface	Relationship (incl., quotes)	Impact
Government – University	Law on Education, art.49 regulates the basic components of university autonomy and only specifies the directions of financial autonomy fulfilment; Government Decree on the Operation of State Higher Education Institutions in Conditions of Financial Autonomy, No. 983 of 22.12.2012, is the main legal act regulating the basic directions of activity of higher education institutions in conditions of financial autonomy.	Higher education institutions following the introduction of the necessary changes in the Law on Education (1995) and, following the issuance of Government Decree (No. 983) which approved the Regulation on the Operation of State Higher Education Institutions in Conditions of Financial Autonomy and settled the two financial years (2013, 2014) transition period, have obtained more freedom in the management of financial resources, which until 2013 was missing;
Management – University Staff	Government Decree on the Conditions of Staff Payroll in State Higher Education Institutions under Financial Autonomy, No.195 of 13.03.2013, is regulating staff salaries;	By Government Decree (No. 195) the freedom of universities to remunerate employees is not limited; the Decree establishes mandatory minimum amounts, guaranteed by the state, which employees should receive. At the same time, rectors have the right, according to available funds, to increase proportionally their amount up to the maximum limit specified in this normative act. Ways of motivating staff and periodicity, as well as requirements, are established by internal regulations of the universities.
University Staff – Students	Government Decree on the Operation of State Higher Education Institutions in Conditions of Financial Autonomy, No. 983 of 22.12.2012, determines the categories of expenses which are included in the per student cost; Government Decree on the Amounts of Scholarships, Other Forms of Social Support for Students of Higher Education Institutions, Students of Secondary Specialized Educational Institutions and Vocational Secondary Institutions and for Trainees of Post-university Education, No. 1009 of 2006;	Tuition fees are established by the university and are coordinated with the founder. Government Decree (No. 1009 of 2006) establishes the procedure and conditions for granting scholarships to the students of cycle I, bachelor, students of cycle II, integrated studies, medical and pharmaceutical education in higher educational institutions, and to the individuals attending postgraduate education; the Decree determines the types and size of scholarships for all categories of students.

Interface	Relationship (incl., quotes)	Impact
University - Business	Law on Education, No. 547 of 21.07.1995; Government Decree, No.983 of 22.12.2012;	Businesses can participate by sponsoring various events both within the university and for nominal scholarships to students. However, many organizations are reluctant to universities. Threats in this respect may arise from business structures related to contractual non-compliance if they are in conflict with the activities of Universities, or if certain conditions are imposed.
University – Internationalization	Law on the Legal Status of Foreign Citizens and Stateless Persons in the Republic of Moldova, No.275 of 10.11.1994;	Usually done by various international projects and programmes, for example, Tempus, Erasmus Mundus. Limited interest of students from Europe, Asia, and America is mentioned. There is interest of students from countries with increased risk of terrorism for whom the Migration Bureau of the Republic of Moldova does not accept to issue residence permit

3.3. Understanding Financial Autonomy

Introduction

In this chapter we intend to analyse and discuss the properties and financial autonomy indicators embedded in the context of higher education in the Republic of Moldova. Analysing a number of governmental and ministerial documents and internal documents from the selected universities (Annex 1) a comprehensive picture - frame was developed regarding the level at which financial autonomy is now manifested and regulated in the higher education sector in Moldova (Table 1).

We started with the definition of financial autonomy, as it is perceived in the Republic of Moldova and as it appears in the regulating acts of the country. The definition of financial autonomy is presented in the paper „University management capacity building by expanding university autonomy” which is a draft proposal of Public Policy, initiated by the Ministry of Education of the Republic of Moldova. It is mentioned here that *financial autonomy* represents „the freedom of the university to ensure income and to allocate financial resources, to set tuition fees, campus accommodation fees, services charges, to finance and co-finance university research, to use and store financial resources, using own procedures for their efficient management”. (PPP, var.7)

The Regulation on the Operation of State Higher Education Institutions in Conditions of Financial Autonomy, approved by Government Decree No. 983 of 22.12.2012, defines financial autonomy as „the right of institution to organize its activity independently and to self-manage financially, to perform its work without any ideological, political or religious interference, to take a number of competences and duties in accordance with national strategic options and guidelines for the development of higher and postgraduate education, as well as of research, development and innovation areas, as established by law and policy documents (GD 983, 2012, Article 6). The same document mentions the need to correlate financial autonomy to the principles of public responsibility for the quality of all professional training activities, scientific research and services carried out by the institution together with the efficient management of funds and state property.

Both the Law on Education and the Government Decree on the Operation of State Higher Education Institutions in Conditions of Financial Autonomy (nr.983 of 22.12.2012) state that financial autonomy is achieved by:

- management of financial resources, including allocations from the state budget, through bank accounts;
- management of funds from various sources and patrimony according to the Institutional Development Plan and modality established by this Regulation;
- placing at the bank deposit of the balance means available in the bank account, realized over estimate, excluding external grants;
- establishment of the amount of tuition fees and accommodation cost for dormitories, according to the methodology approved by the Government, as well as for services rendered and work performed against payment, coordinated with the founder;
- establishment of study programmes and institutional offer capacity;
- social support for students and staff;
- granting of study and research scholarships;
- determining the internal structure of the institution and approval of the budget;
- asset management, development, strengthening and endowment of the institution;
- fund raising by participating in research and investment projects based on cooperation with various national and international partners, including public-private partnerships;
- setting units and subdivisions of research and innovation, development, design, services and manufacturing activities;
- establishment of corporate unions and professional association according to the law.

The discussion in this chapter will be carried out around the framework developed and supported by a number of situations that will illustrate critical points of discussion.

3.3.1. Ways of Funding Higher Education in Moldova

Higher education of the Republic of Moldova is currently passing to financial autonomy. Available funds of higher education institutions are extremely insufficient to enable them to compete with European universities; there cannot be competition with universities spending for same programmes ten times more per student than Moldovan universities.

Speaking about the current mechanism for funding higher education we will focus on two time components: until January 1, 2013, with universities not having university autonomy, and after January 1, 2013, when universities are passing a 2-years transition period. Differences specific to this component are minimal because the funding mechanism for higher education has actually remained unchanged.

Public higher education is financed from public and own sources. Funding from state budget takes place according to state order (budget-financed number of units offered to cycle I, bachelor, and cycle II, master students). This principle applies to both periods mentioned. State order is determined in coordination with the Ministry of Labour, Social Protection and Family and with the Ministry of Finance, based on the state needs of certain specialities correlated with the number of graduates, the cost per student, and the financial possibilities of the state. After determining the required number for each specialty and approving it by Government Decree every year, the Ministry of Education, based on principles known only by itself and without any transparency, breaks down these numbers for each public university that trains specialists in the respective area.

State funding performed through the Ministry of Education of the Republic of Moldova is based not on the number of students required by higher education institution (based on the number of budget students and health standards), but based on state budget possibilities.

The state budget is funding higher education institutions taking into account the following priorities:

- Labour remuneration, as approved for established staff units;
- Contributions to state social insurance fund;
- Student scholarships (taking into account students number);
- Partial funding of current utility services expenditures - payment for goods and services.

The remaining expenditures are covered from sources accumulated from payment-based services, i.e. from special funds [T. Manole, 2010, p.211]. Administration and use of revenues are performed by each higher education institution based on balanced revenue and expenditure budget developed in accordance with criteria established by the Ministry of Education. Revenue and expenditure budgets include financial resources planned to achieve the objectives established in the strategic plan of each higher education institution during the respective financial year. Budget funds are the main source of funding for public universities. At the proposal of the Ministry of Education, the Government approves funding standards for higher education institutions. Funding standards are adjusted to inflation. In addition to the main funding of higher education the Ministry of Education can allocate funds from special state budget for: [T. Manole, 2010 p.213]

- Complementary financing granted on competitive basis, according to criteria established by the Ministry of Education, for infrastructure and other capital expenditures, repairs as well as subsidies for student dormitories and cafeteria;
- Scholarships to students and trainees, including foreigners studying in Moldova in the framework of intergovernmental cooperation, where appropriate;
- Social protection measures provided by law for students, for example, transport facilities to students;

- Achievement of investment objectives;
- Carrying out of co-financed projects with external sources involvement.

Research is another higher education activity area. Certain funds are allocated from the state budget for research and innovation based on competition organized by an authorized body.

3.3.2. Methodology for Allocation of Financial Resources

The fundamental principle making the core of the annual funding methodology is “money follows the student”, meaning in our conditions that first, budget funded units are being distributed to public universities based on specialities, after which depending on their number and area, the respective amount of money is allocated from the state budget.

Calculation basis for financial means provided by the State Budget Law for educational services offered by institutions in order to achieve the Plan (Order of the State) of specialists’ training, is the volume of allocations approved in the previous year, adjusted in accordance with the policies of the financial implications approved in the Medium Term Budgetary Framework of the previous year and other factors that influence the amount of expenditure, state order and expenses for new policy measures.

To adjust the state budget expenditures for the Plan (Order of the State) regarding specialized personnel training, for the year of budget development the average number of students, including cycles I and II, integrated studies, residents, clinical secondary medical students, and PhD, as well as the average total cost per student are used. To determine the total average cost per student it is necessary to use data on the average number of students of cycles I and II, integrated studies, residents, clinical secondary medical students, PhD students, from full-time and part-time forms of education correlated with the coefficient 0.4 of annual ratio of students for two years preceding the draft budget development.

3.3.3. Sources of Private Funding and Their Monitoring

In addition to the sources of public universities received from the state budget in accordance with the regulations in force and listed in Table 1, the universities may have other sources of income:

- Funds received from research and innovation services carried out by order on a contract basis;
- Funds obtained from scientific research conducted on the basis of international research and development projects;
- Funds from tuition or training fees applied to cycle I and II students, integrated studies, residents, clinical secondary medical students, PhD students, as well as continuous training / lifelong learning;
- Interest on bank deposits of funds available;
- Donations and sponsorships;
- Lease and rental contracts.

Insufficiency of financial resources allocated from the state budget requires identifying and capitalizing of special means, completion of necessary funds by own effort. Besides revenues from activities of the institution (income from tuition fees), universities accumulate income by leasing public property, which covers mostly the expenses for the maintenance of study buildings (for utilities) and improvement of university infrastructure. Revenues of universities are classified according to the functions of budget allocations (*Order of the Ministry of Finance of RM No. 91 of 20.10.2008, Annexes 2, 5 and 8*) and categories of special means (*Order of the Ministry of Finance No. 94 of 31.12.2004 and Order of the Ministry of Finance No. 91 of 20.10.2008, Annex No. 7*), and expenses – according to spending articles and paragraphs according to budget classification (*Ministry of Finance Order No. 91 of 20.10.2008, Annexes nr. 3 and 9*).

Government support to higher education institutions entitles it with the right to control the use of their financial resources. State allocation of funds to universities does not take into consideration certain performance indicators regarding training or research activities. Financed both from state and own funds, the university manages its budget in accordance with the objectives, policies and programmes approved by its Senate, respecting all legal provisions in this regard. Both the Senate of the higher education institution and the founder (Ministry of Education or other ministry), through regularly submitted reports, supervise the use of funds. Also, every 3 years the Audit and Control Department within the Ministry of Finance controls the use of financial resources. Periodically, the Court of Auditors performs control.

3.3.4. University Autonomy in Setting Tuition Fees

At present, universities can determine the amount of tuition fees, accommodation in dormitories, according to the methodology approved by the Government, (currently it is not finalised) and for services provided and work performed against payment. These costs are approved by the Senate and coordinated with the founder. Tuition fees for training of specialists contract-based is calculated based on the actual costs related to process development studies, with the exception of expenses for payment of scholarships and maintenance costs of dormitories. Tuition fees include charges calculated under the rules and regulations in force, tariffs and prices forecasted for the period, and in their absence - the average real expenditure of the reports.

The tuition fees incurred by legal persons may include additionally charges for scholarships. The size of the tuition fee for part-time studies makes up 50 % of the full-time tuition fee, depending on the framework plan of study. Changes to the amount of tuition fees for various specialties and years of studies are reviewed by the university senate and submitted to the Government for approval. Unfortunately, the Government did not accept any increase in tuition fees since 2008, when the last increase took place. Meanwhile, costs for study process development have increased.

3.3.5. Reporting of Unused Funds From Year to Year

Here, again we will refer to two periods: before January 1, 2013 and after that date. Until January 1, 2013, the Ministry of Finance monthly reported to the Government on the state budget execution. Because the university budget was part of the state budget, this fact required universities to fully use the resources planned for that month even if the university did not need to use those funds. Also, it was possible to redirect them to another month through a cumbersome and lengthy procedure (about 10 days).

If in the process of the state budget execution the level of budgetary deficit increased then the Ministry of Finance, under the provisions of the above Law, could block university expenditures, excluding expenditures for staff and partially those for utilities without informing the university about it. Thus, the funds could not be reported from year to year.

The situation changed after January 1, 2013, when universities were given the right to adjust the funds unused during one financial year to another financial year. Moreover, universities have been given the right to place the available financial resources into commercial banks and earn interest, considered a source of income.

3.3.6. The Right of University to Own Estate

The property managed by the institution is state patrimony and is offered for management by the Ministry of Education or other ministries, to which the university reports (Ministry of Health, Ministry of Culture, Ministry of Agriculture and Food Industry). Universities can lease the state patrimony after coordination with the founder.

3.3.7. Conclusion

Financial autonomy of universities is at the beginning of the process in the Republic of Moldova. The identified properties of financial autonomy, which are briefly described in this chapter, confirm the state of things at the initial stage. Obvious achievements in this regard are money placement into commercial banks and the possibility to obtain interest, as well as keeping unused funds from one year to another year.

3.4. Interfaces of Financial Autonomy and Institutional Autonomy

Introduction

In this chapter we address the relationship between financial autonomy and the five interfaces that are part of the institutional autonomy of universities, namely: government – university, university management – university staff; university staff - students; university - business and university - internationalization. Also, we analyse the impact of financial autonomy on these interfaces. The emergence of these relations, which are presented in Table 2, will be the focus of discussion in this chapter.

3.4.1. Government – University Interface

Before January 1, 2013, the university had an annual budget of revenues and expenditures approved by the Senate and strictly observed. The funds of the University consisted of budgetary sources and income accumulated on institution's accounts as a result of services rendered, works performed or other activities carried out against payment.

Allocations from the state budget (budgetary funds), which included:

- funds for training specialists (1st cycle students, bachelor, master students, doctoral students, post-doctoral students);
- allocations for scientific research activity transferred from the state budget;
- campus maintenance funds;
- support for orphan and under guardianship students.

Own revenues (special funds), which included the following types of income:

- amounts paid by individuals and legal entities for contract-based students, master students and doctoral students training;
- income from rental or lease of public property under institution's management and payments for utilities related to property rented;
- income from student campus tenancy;
- other income legally obtained by public institutions as a result of works performed and services rendered (training and re-training of personnel, sports activity, military training courses, printing work, Medical Centre activity, etc.)
- Grants and sponsorships.

Management of funds consists in providing continuous balance between the accumulated resources and financing requests, as well as in efficient use of resources for timely payments. The calculation base of funds provided by the State Budget Law for educational services offered by institutions in order to perform the Plan (State Order) for specialist training, is the volume of allocations approved in the previous year, adjusted to financial implications in accordance with policies approved by Medium Term Budgetary Framework of the previous year and with other factors that influence the amount of expenditure and state order, and also adjusted to costs of new policy measures, e.g. Government decisions on increasing the salary and scholarships, enrolment plan, and on implementation of other activities.

Tuition fees, as well as other fees from services rendered, have been and are regulated by *Government Decree on the Special Funds of Institutions under the Ministry of Education, No. 196 of 22.02.2007, Annex 1*, and, where appropriate, by *Government Decree on the Approval of Payment-based Services Rendered by the Ministry of Culture and Subordinated Institutions*", No. 1311 of 12.12.2005, by *Government Decree on the Special Funds of Public Institutions and Organizations from Science and Innovation Areas Subordinated to the Moldova Academy of Sciences*, No. 724 of 26.06.2006, by *Government Decree on the Constitution and Use of Special Funds of Public Institutions Subordinated to the Ministry of Health*, No. 928 of 13.08.2007, by *Government Decree on the Special*

Funds of Education, Science and Innovation Institutions Subordinated to the Ministry of Agriculture and Food Industry, No. 921 of 06.10.2010. Study fees were paid in 2 stages at the beginning of each semester.

Based on accumulation mode and purpose of special funds of educational institutions approved by *Government Decree No. 196 of 22.2.2007*, and other normative acts, their special funds accumulated through tuition fees primarily include the following expenditures:

- All-debt payment;
- Payment of staff directly employed in the education process and services;
- Mandatory state social insurance payments and mandatory health insurance bonuses paid by employers;
- Payment of utilities current expenses;
- Campus maintenance costs in order to ensure its proper operation;
- Endowment with information technology devices, teaching equipment, library fund;
- Purchase of goods, services and works necessary to ensure the study process/scientific research;
- Current and capital repair of buildings;
- Social support for orphans;
- Granting study and research scholarships;
- Other expenditures necessary to consolidate and endow the institution, established in accordance with the university development plan.

The institutions can use special funds for current and capital repairs, equipment and utilities to ensure proper operation of their halls of residence. Depending on priorities, institutions may require re-targeting of special funds. Requested changes confirmed by calculations and explanatory notes are approved according to an established procedure. All universities' revenues, including revenues from tuition fees, works and services against payment, until January 1, 2013, were considered public money. Their distribution was subject to the State Budget Law for the respective years. Complying with financial regulations, end-year cash balances were not included in the Budget Law chapter containing current year expenditures. As result, universities could not access these balances, could not plan it and could not carry out payments because their utilisation would generate budgetary deficit increase, thus jeopardising budget stability.

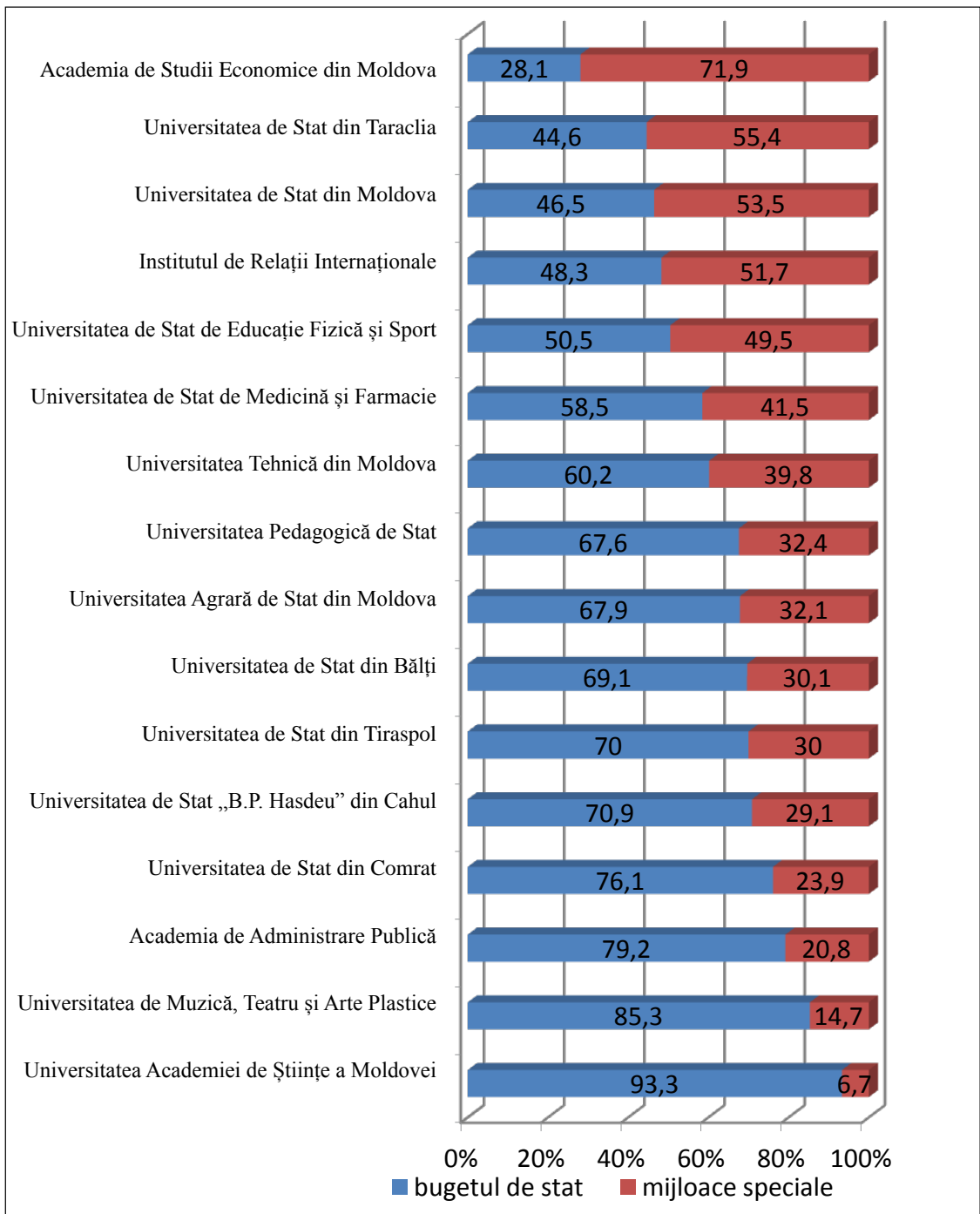


Figure 3.1: *Share of budget and special funds in HE Institutions expenditures (2012)*

Legend to Table 1: Academy of Economic Studies of Moldova, Taraclia State University, State University of Moldova, Institute of International Relations, State University of Physical Education and Sports, State University of Medicine and Pharmacy, Technical University of Moldova, State Pedagogical University, State Agrarian University of Moldova, State University of Bălți, Tiraspol State University, Cahul State University “B.P. Hașdeu”, Comrat State University, Public Administration Academy, Academy of Music, Theatre and Fine Arts, University of the Moldovan Academy of Sciences; state budget; special funds

Source: Ministry of Finance

Lack of financial resources allocated from the state budget imposes identification and use of special funds, and obtaining of necessary funds by own efforts. Additionally to the income from the institution activities (income from tuition fees), universities accumulate income by leasing public property, which cover, to a great extent, the expenses for study buildings maintenance (utilities) and infrastructure improvement. Property under the management of the institution is state ownership and it is offered for management by the Ministry of Education or other ministries, to which the university is subordinated (Ministry of Health, Ministry of Culture, Ministry of Agriculture and Food Industry). All revenues of the universities were classified according to budgetary allocations function groups (*Order of the Ministry of Finance No. 91 of 20.10.2008, Annexes 2, 5 and 8*) and according to special funds categories (*Order of the Ministry of Finance No. 94 of 31.12.2004 and Order of the Ministry of Finance No. 91 of 20.10.2008, Annex 7*), and expenses – in accordance with articles and paragraphs from budget classification (*Order of the Ministry of Finance No. 91 of 20.10.2008, Annexes 3 and 9*).

When analysing in terms of total funding share, on the average, about 60 % of university's funds come from the state budget, the remaining 40 % are own revenues from tuition fees and services rendered against payment (the situation varies from one university to another) (fig.1).

Insufficient sources from the state budget funding impose identification and harnessing of special funds, obtaining of necessary funds by own efforts.

The evolution of budgetary funds share in the total higher education institutions expenditures in 2010-2012, (Fig. 2), indicates a stability of this share for the universities.

Meanwhile, when forming the budget (both budgetary allocations as well as special funds) universities have considered the following:

Estimated income - done and confirmed by calculations established by certain forms, in strict compliance with the fees for services, approved by the Government, namely:

- Revenues from contract-based studies, as well as revenues from training, retraining and requalification and short-term courses, was foreseen based on the average number of students established at the beginning of the year and on study fees approved by *Government Decree, No. 196 of 22.02.2007*.
- Revenues from campus accommodation tax are estimated in compliance with *Government Decree, No. 99 of 30.01.2007*.
- Revenues from lease of public property was foreseen based on the number of signed contracts and on the Rules regarding the lease (rent), approved by *Government Decree, No. 483 of 29.03.2008*.
- Other revenue obtained in the result of the performed work and services against payment, regulated by *Government Decree, No. 196 of 22.02.2007*, was estimated according to the number of service units provided and to the prescribed fee.

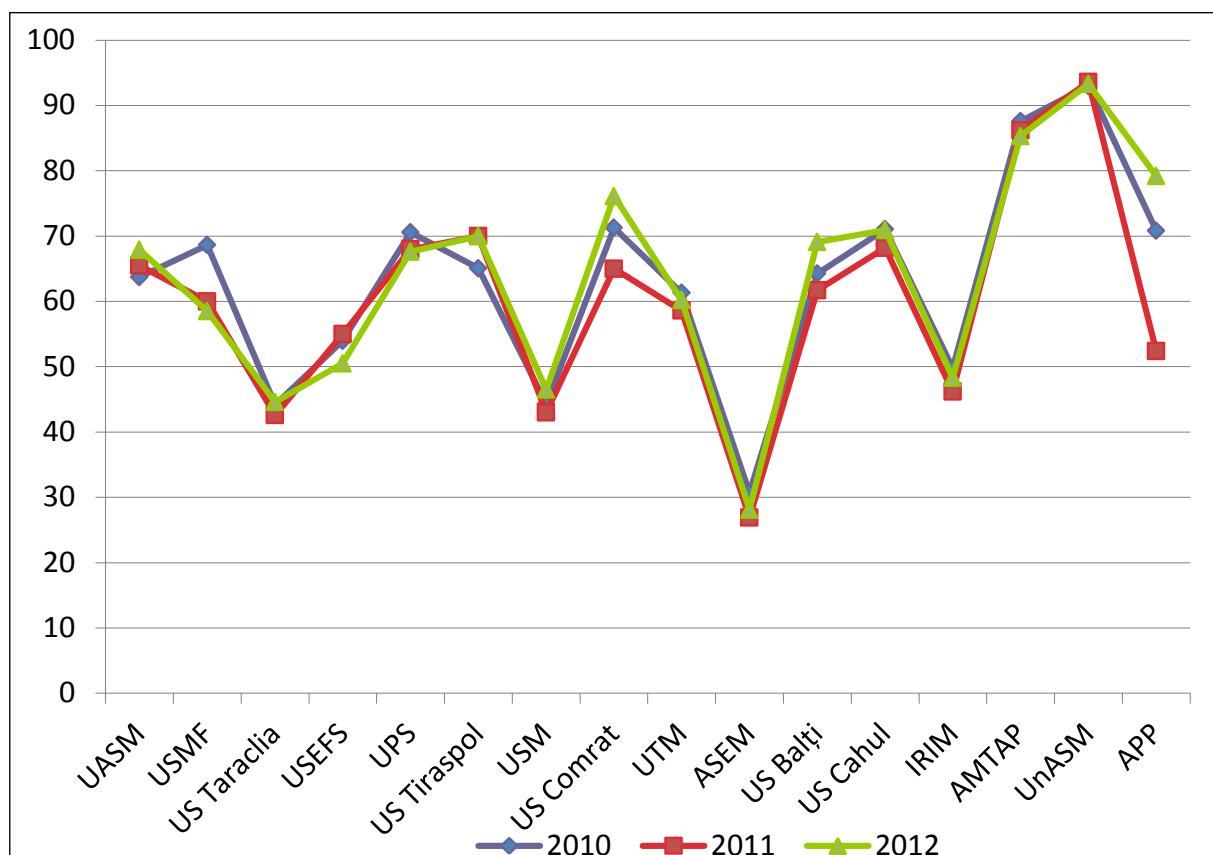


Figure 3.2: Trend of budgetary funds per university to total expenditures in state Higher Education Institutions

Source: (Ministry of Finance, Ciurea et al, 2012)

Expenditures estimation was performed for each cost article and item based on quantitative parameters and projected rates, distributed according to funding sources named „budget allocations” and „special funds”, and these were distributed according to fund categories respectively. All costs were confirmed by calculations supporting each specific article and by completed forms, attached to financing plans.

When developing the draft budget, the following form columns were filled: „past year actual expenditures”, „past year approved” and „current year envisaged”, and column „current year approved” was completed after the Parliament approved the Budget Law, after which universities received funding. When estimating both basic component expenditures, as well as special funds expenditures, the following were taken into account (actually, these components, as well as the mentioned normative acts, have remained the same after 1 January 2013):

- *Staff expenditures* were estimated in strict compliance with the Salary Payment Law No. 355-XVI of 23.12.2005 and Government Decrees No. 381 of 13.04.2006 and No. 47 of 12.01.2007, regulating labour remuneration in education, culture and science areas. To be noted that staff expenditure limits were set by the annual Budget Law and in some cases they would not have full coverage from budget allocations, and in

several universities these expenditures would not have coverage either from special funds. For these reasons, universities were required to make staff optimizations to exclude additional expenditure;

- *Utilities expenses* were estimated according to previous year's consumption and to current year's adjusted rates, and in case of resources consumption increase (or decrease) compared to previous year consumption –explanatory notes containing supporting reasons were developed;
- *Travel expenses* were calculated based on the Government Decree No. 836 of 24.06.2002, regulating the detachment of Moldovan institutions' employees;
- *Expenses for organizing and conducting conferences, symposia, festivals, round tables, etc.*, were calculated in accordance with the Regulation on Norms of Public Institutions' Expenditures for Organising Conferences, Symposia, Festivals, etc., approved by Government Decree No. 1151 of 02.09.2002;
- *Expenses for supporting orphan pupils and students and those under tutorship*, are estimated based on the average number of pupils and students and on provisional money rates, approved by Government Decree No. 870 of 20.07.2004;
- *Scholarship payment expenses* are estimated based on the number of students, master and doctoral students with about 70% budget funding and on scholarships amounts by scholarship categories, according to Government Decree No. 1009 of 01.09.2006;
- *Expenses for infrastructure improvement, investments and repairs*, in accordance with each object volumes approved by the Budget Law, as well as other expenses for procurement of goods, execution of works or services related to the study process, were estimated depending on the needs and financial possibilities of the university, in accordance with Public Acquisitions Law No. 96 of 13.04.2007.

After estimating revenues and expenditures, universities prepared and approved funding plans for each type of institution according to the basic component (budget allocations) and for each category of special funds with their monthly allocation, in compliance with the Form No. 3, approved by Order of the Minister of Finance No. 154 of 01.12.06. When changes between expenditure items or additional expenses occurred after the Budget Law amendments were approved, universities could make changes to the financing plans.

Financing plan represents monthly allocations of revenue and expenditure by funding source according to university estimates, authorizing the allocation of resources both from the state budget and from special funds. Before the endorsement of financing plans, universities had to obtain approval from all relevant authorities:

- Ministry of Education of the Republic of Moldova - coordination and approval;
- Ministry of Finance of the Republic of Moldova - coordination and approval;
- Directorate of the Ministry of Finance that supervises investments - approval;
- State Company "Fintehinform" (Computer Centre of the Ministry of Finance) -registration and corresponding database update, with mathematical and other control of the submitted documents according to the established algorithms.

Universities obtained funding after entering the data into the information system and giving the Treasury access to them. University budget was executed by the Treasury system by means of money (cash method).

Treasury system of the Ministry of Finance is a unitary organized and functioning central system, consisting of the State Treasury of the Ministry of Finance, which carries out all levels cash execution of the budgets and their monitoring. According to Law **on Budgetary System and Budgetary Process**, No. 847 of 24.05.1996, universities with budgetary institution status did not have the right to open bank accounts for collection and payment operations through financial institutions.

On December 31st of each year, the Ministry of Finance used to close all accounts opened during the current fiscal year in order to elaborate the annual report, and if the annual budget law was not adopted and published before the beginning of the year universities had no access to their funds and financing of the current year was blocked, according to Art. 39 of above mentioned Law. The Ministry of Finance monthly reported to the Government about state budget execution. Since universities' budgets were part of the state budget, this aspect required universities to fully capitalize sources planned for the respective month, even if the university did not have the need to use the funds. At the same time, it was possible to redirect these funds for another month, however through a burdensome and lengthy (about 10 days) procedure. If during the execution of the state budget the budgetary deficit increased, then according to the above mentioned Law, the Ministry of Finance could block university spending, excluding staff and partly utilities expenditures, without informing the university. Thus, the implementation of decisions in case of centralized power takes a very long time leading to late and superficial solving of university problems instead of more rapid and efficient solving, blocks access to money balances, as a result universities cannot find optimal solutions and their activity is hindered.

Based on the above, it was concluded that freedom in decisions is the optimal solution for each university to be able to manage alone its budget, to manage its funds in a different manner than before. Their operation should pass from treasury to banking system that will take responsibility for it. Universities shall be fully autonomous and their state budget funding shall be done based on educational services contract according to the state order. *Since January 1, 2013*, universities have the right to open accounts in commercial banks and to place available financial resources at bank deposit accounts. The main particularities of financial autonomy are currently ensured by Government Decree No. 983 of 22.12.2012 and have been mentioned above. According to Government Decree No. 983 of 2012, planning, approval, execution, monitoring and evaluation of financial means in terms of financial autonomy are the responsibility of the University Senate.

Financial autonomy should take better account of students needs by having the right to grant from its own funds scholarships, research stipends and social benefits to students, as well as to improve living conditions in the campus, meaning that financial autonomy would never separate universities from students' needs.

Even though financial autonomy is followed by numerous benefits, one must acknowledge that it may also take the risk of broadening the differences between rich and poor universities financially, they are not able to secure any vital minimal services and which possibly would terminate their activity (to disappear). However, this is normal in conditions of market economy. On the other hand, financial autonomy requires the university to take a set of competences and obligations to:

- observe the law, university charter and national policies on higher education and research and innovation areas;
- apply and observe legal regulations regarding quality assurance and assessment in higher and postgraduate education and in research and innovation;
- ensure effective management, efficient and effective use of resources;
- ensure transparency of all university decisions and activities;
- observe the academic freedom of teaching, auxiliary and research staff, as well as the rights and freedoms of students, master students, doctoral students and residents.

In terms of financial autonomy state budget allocations will not be based on historical costs, but on per student funding depending on each study program, and will include: salary costs, costs of goods, services and work acquisitions necessary to ensure the educational process, development expenses and a specialized coefficient or qualitative criteria.

Disadvantages of transition towards university autonomy might affect the period necessary for:

- learning, accumulating necessary experience;
- change of mentality;
- negotiation with competent state bodies regarding the development of legislative framework necessary for the activity of educational institutions under financial autonomy conditions;
- payment of taxes for real estate property in ownership;
- financing of expenditures in the second half of the month, which makes possible payment of salaries to the employees for the previous month with a big delay.

The contract on educational services regarding specialists training shall be signed for the total amount of budget allocations for all academic cycles. The contract shall be signed for one financial year and funding shall be performed monthly to the bank account of the University. If until now financial means from the state budget not used by the university until the end of year were withdrawn back to the state budget, then under financial autonomy conditions these means shall not be withdrawn and shall be used next year, not being included in the amount of funding for the next year.

Government support implies the right to control the use of its financial resources. State allocation of funds to the Universities does not consider certain performance indicators within training or research activities. Being funded from both state and own funds the University manages its budget in accordance with the objectives, policies and programmes approved by the Senate, observing all legal requirements in this respect.

The share of state funding for universities varies. Thus, in the period 2010-2012 it was about 67% for the State Agrarian University of Moldova, 44,5% for the Moldova State University, 60% for the Technical University, 30% for the Academy of Economic Studies (Fig. 2). Private universities currently do not receive state funding.

Private universities in Moldova make up 44,2% of the total number of higher education institutions, however their role is quite insignificant (Figure 3). Thus, in terms of students enrolled in 2011-2012 academic year, the share of private universities was 18,3% against 81,7% for public universities. The figures regarding academic staff in private and public sector for the mentioned year show a ratio of 12,9% to 87,1%. In the academic year 2012-2013 the share of students in private institutions increased by 20% of the total students number.

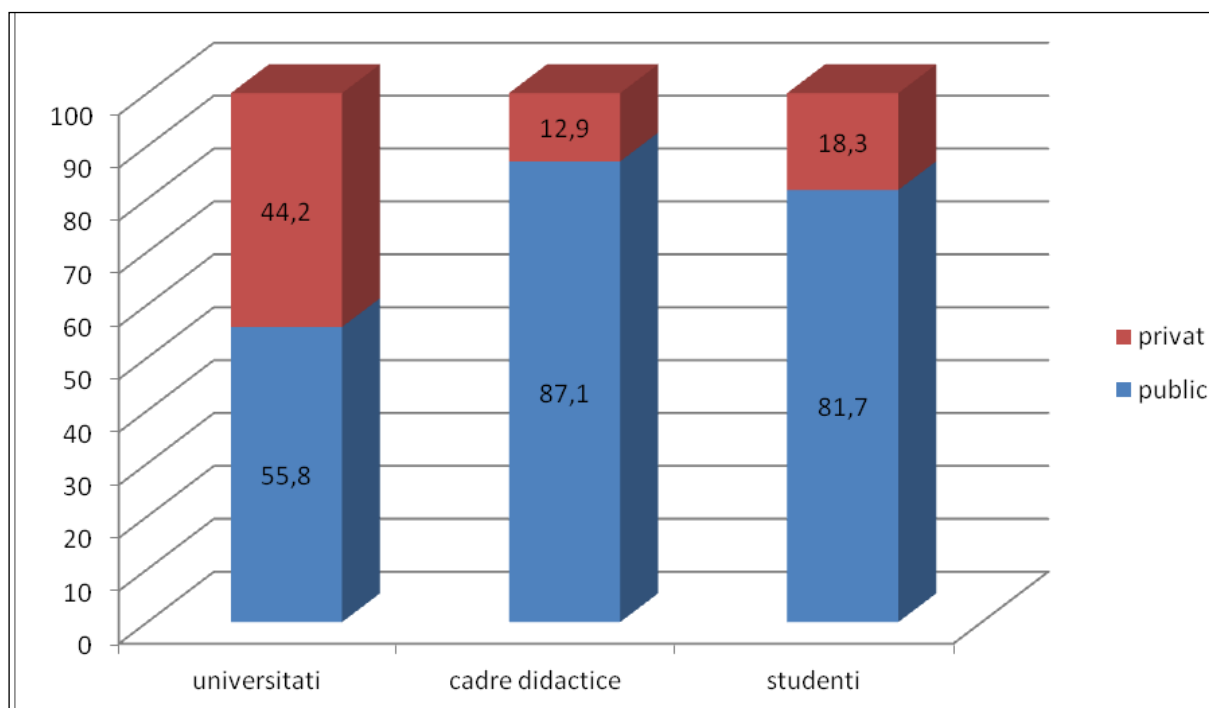


Figure 3.3: *Public and private higher education indicators in the 2011-2012 academic year (%)*

Legend to Figure 3: Universities; Academic staff; Students; Private; Public

Source: www.statistica.md

Under university autonomy conditions, after expiry of the transitional period (2 years), we consider that it would be reasonable to implement a university funding system based on quality indicators, a system which exists in many countries. In this case one must have a strong indicators' system that reflects truly the performance of universities. This shall create incentives for efficient activity of higher education institutions.

Improvement of university autonomy can also be achieved through participation in research and investment projects in cooperation with various national and international partners, including public-private partnership; creation of research-innovation, development, design units and subdivisions; services performance and production activities. Financial autonomy allows a certain level of universities decentralization but in no way it will separate the university from the state where it functions. A state order is always there and money allocated on this basis should be monitored by the State.

Under university autonomy conditions funds financing methods can be the following: funding per student based on performance criteria, classification of universities.

Financial governing bodies in terms of institutions financial autonomy consist of the University Senate and the Administrative Board. Institution's financial governing bodies have the following functions:

- approval of Institutional Development Plan for a period of 5 years at least, the plan including vision, mission, development strategy of the institution, as well as the main measures for their achievement;
- planning, approval, execution, monitoring and evaluation of financial means;
- approval of strategic decisions with regard to:
 - infrastructure management;
 - staff remuneration and motivation;
 - determination of the amount of tuition, campus accommodation, service and work fees;
 - cooperation with companies;
 - management of financial resources;
 - submission of proposals to merge with other higher education institutions;
 - institutional management of intellectual property rights;
 - institutional management of the technological transfer process;
- connection with the labour market;
- approval of the revenue and expenditure estimate plan;
- efficient use of budget-allocated resources and own revenues acquired by the university;
- identification of locations and means to reduce expenditures by means of: identification of consumers, adjustment and control of consumption in buildings.

Staff responsible for financial and accounting management must operate in compliance with existing normative acts. Each grant, both from external and internal donors, is being managed in strict accordance with the approved grant budget. The University submits a financial report for each funding tranche, attaches copies of invoices, contracts, payroll lists, and all necessary calculations. Transparency is present in most cases after completion of grants and donor representatives verify original documents and overall financial activity in general. During the review period control bodies check grants as well. Based on the contract regarding performance of (State Order) the Plan for specialists training, concluded between the founder and the university, funds allocated for a financial year are distributed monthly. These means are being transferred monthly by the founder to the bank account of the university.

3.4.2. University Management – University Staff Interface

Salary represents any reward or earnings measured in money, payable to the employee by the employer under individual employment contract, for work performed or to be performed. When establishing and paying the salary no discrimination based on sex, age, disability, social origin, family status, ethnicity, race or nationality, political or religious beliefs, trade union membership or activity is allowed. Salary value is confidential and every employee is entitled to a guaranteed minimum wage.

Minimum wage is the minimal amount of remuneration evaluated in national currency, amount determined by the state for a simple and unqualified work, under the level of which the employer cannot pay for the work rate performed monthly or hourly by the

employee. The minimum wage does not include additions, bonuses, incentive payments and compensations. The amount of minimum wage is binding for all employers, legal entities or individuals, using paid employment, regardless of ownership and legal constitution type. This amount can be reduced neither by collective work agreement nor by individual employment contract. The amount of minimum wage is guaranteed to workers based only on performance of their work obligations (norms) during working hours established by law.

University system and conditions for employee salaries payment are established by Law No. 355-XVI of 23.12.2005, Government Decrees No. 381 of 13.04.2006 and No. 47 of 12.01.2007: it regulates labour remuneration in education, culture and science areas. State guarantees regarding remuneration include state-approved minimum wage, state wage rates for the budget environment and compensation-type benefits guaranteed by state and regulated by law. Besides basic salary (tariff wage, position wage, bonuses and additions provided by law) the employee benefits of other incentive payments and compensations. Depending on the financial situation and after consulting employee representatives, the university is entitled to establish various systems of rewards, additions and bonuses to the base wage rate, as well as other incentive payments. The envisaged systems can be also provided by the collective work agreement.

However, beside payments provided by salary systems, universities may establish results-based rewards for its employees from the annual salary saving fund. Based on conditions stipulated by Government and by Salary Payment Law, the university has developed internal rules regarding salary setting manner and conditions. These rules determine the approach for calculating monthly salary, including benefits, additions, bonuses and material aid for employees during their work within university. They also stipulate additional payments to the basic salary from special funds. Meantime, the rules provide creation of an incentive fund consisting of budgetary and special funds in order to stimulate staff to improve efficiency and quality of work, such as jubilee awards, material aid and other incentive-based payments.

University employee's monthly salary is regulated by the Government both at the minimum level and at the maximal level. But in the context of the above, we consider that state involvement in salary regulation should be minimal by means of setting minimum wages. Each university, besides its internal rules, has the right to develop and approve through its Senate other regulations for employees' motivation. Thus, in the case of the State University, these are:

- Regulation regarding merit awarding for teaching staff based on assessment frame;
- Regulation on the organization within the Moldova State University of the contests „Teacher of the Academic Year” and „The Most Successful Teacher Debut”;
- Regulation on the Stimulation of the Department's Heads Based on Performance Criteria.

For the Academy of Economic Studies of Moldova these are:

- Regulation on Salary Calculation Mode and Conditions for the Academy of Economic Studies of Moldova Staff;
- „Teacher of the Year” Regulation.

Within the Technical University the Senate stimulates training and research activities by awarding the following:

- Winner of the Year in Teaching;
- Winner of the Year at Initial Phase in Teaching;
- Best Manual of the Year;
- Winner of the Year in Research;
- Winner of the Year in Technical Creativity;
- Best Academic Group Supervisor;
- Bonuses for young professionals under 35 years.

Rector's monthly salary is established according to an administrative act approved by the public authority (Ministry of Education). Material aid, coefficients, reward amount and terms are also set by the higher body. Rector is allowed to establish additional compensations, based on the years of experience and professional performance, from/within the limits of the salary fund and within the limits regulated by the Government, which can be increased or reduced depending on the results and quality of work. These supplements are approved by decision of the Senate at the proposal of the Rector.

Given that the core activity of universities is education, funding sources largely depend on the number of students studying at the university. The category of the institution, the number of the teaching staff, including the management staff and wages depend on the mentioned indicator. The salary fund granted from the budgetary allocations is calculated based on the number of teaching and non-teaching staff.

The staff structure and salaries are set up by the university management within the limits indicated by the Government. All incentive payments, which might be granted by the University to its employees, are regulated by the Government at their maximum level. The amount of incentive payments from the extra budgetary funds paid monthly to an employee will not exceed the position salary of an employee, taking into account the bonus for total work history. To establish incentive payments the universities will use the special funds remaining available after covering other expenses related to the services provided, to the carried out works or other activities, according to their share in the approved revenue and expenditure estimates.

However, the academic staff, in addition to its teaching activity, is not limited in conducting research activity for additional remuneration as well, under some contracts. At the same time, they can carry out teaching activity in other divisions and other universities, which leads to an increase of the monthly personal income.

3.4.3. University Staff – Students Interface

Currently the size of tuition fees is fixed and regulated by Government Decree. The size of tuition fees can be changed by the university only after supportive justification and Government agreement, respectively. In terms of financial autonomy, the financial management bodies of the University are entitled to determine the amount of tuition fees and the rent prices for accommodation in dormitories, but only following a methodology approved by the Government and in coordination with founder.

However, the number of students (the plan of specialist training under state budget funding and contract based by paying the tuition fees) is set annually by the Government, according to the needs of the labour market and needs for the development of national culture and art. From the point of view of universities, this is not correct because it leads to violations of freedom of administration. The plan of specialists' professional training should be decided by the university itself based on the principles of quality and capacity of the university.

Tuition fees are paid only in MDL and students have been required to pay in two instalments, i.e. at the beginning of each semester. Payment of tuition fees in full is not possible because it is contrary to the *Regulation on the Formation and Use of Special Funds of Universities*, approved by Government Decree No. 196 of 22.02.2007. After January 1, 2013, students are entitled to pay, at their will, the entire amount at the beginning of the academic year. Fee payment learning contracts may be concluded both with individuals (students, parents or relatives who bear the costs of study), and with legal persons which manage their studies. At the same time, the amount of tuition fee was and still remains established under the level of state budget allocations at the majority of universities (Table 1).

Thus, only the State University of Medicine and Pharmacy "Nicolae Testemițanu" has established the amount of tuition fee exceeding, on average, by 9% budget allocations per student (Table 3). For universities under the subordination of the Ministry of Education, as well as for SAUM, the average fee per student is 65% of the state budget allocations per student. Obviously, we are considering average values since professional training varies from one specialty to another depending on its specific aspects. However, the demand and offer determine the amount of tuition fee which is established by the universities. Often, for specialties requiring higher expenditures for specialist training (chemistry, physics, etc.) the amount of the tuition fee is smaller than the real cost. Reversed situations can also be encountered.

Table 3.3: *Average annual cost per student, 2012, MDL*

University	Average annual cost (budget)	Total average cost	%
State Agrarian University of Moldova	18860	12250	65,0
State University of Medicine and Pharmacy	29155	31869	109,3
Universities under the subordination of the Ministry of Education	18200	11893	65,4
Academy of Music, Theatre and Fine Arts	40418	33958	84,1
University of the Moldovan Academy of Sciences	32472	32472	100,0
Academy of Public Administration	10642	10642	100,0

Source: *Ministry of Finance*

The University could not grant study loans to the students as it contravenes the Law about the budgetary system and budgetary process. At the same time, the students who want to take loans from Bank to pay the tuition fees have very few alternatives. Very few banks have tried to do deals of this kind; however, they gave up this package. All together, universities may grant tuition exemptions. Usually it is performed at the beginning of the academic year, based on the applications submitted by students, on their academic situation and their family situation. Yearly a certain number of students are exempt of tuition fees in the amount of 100%, 75%, 50% or 25%. In this sense, every university shall act in accordance with the university policy and financial possibilities.

Additional fees are paid by students for various supplementary courses at their request. Additional fees are also charged for optional courses for students. Training in the Military Department (at the student's choice) is an additional fee charge. Additional fees collected are used for salaries, utilities and are not subjected to special directions of use.

However, students, who are enrolled on a contract basis and paying tuition fees, benefit of scholarships as students funded under the budget. Besides the study scholarship, students enrolled on the basis of the state budget funding benefit of social scholarships, merit scholarships, material aid, bonuses; orphan students receive allowances and food. These payments, according to the Tax Code (article 20, Chapter 2, Title II) are not subject to taxation, except material aid and bonuses granted by the university. Students are informed about the tuition fees and all facilities through the website of the university, Student Guide and the faculty staff, which is responsible for relations with students. Students are represented in the Senate, the Faculty Council (25%) and, through its representatives participate in the decision making process.

3.4.4. University – Business Interface

Business environment is the main beneficiary of universities, given the fact that businesses (economic agents) are in constant need of qualified specialists and the universities are those institutions which train them. Hence, there is a close relationship between these two entities: to have highly skilled employees, businesses should be interested in working closely with universities and in participating in practical training of students by providing places for internships and financial support to universities, contributing thus to the education of specialists. But this situation is mainly theoretical for Moldova, because the involvement of enterprises in the training of specialists or in the university activities is minimal. Hence, we can assume that if the university would receive financial support from the businesses it could be more autonomous to some extent. At the same time, the relationship between the university and businesses can be extended for research. Universities are open in conducting applied research for businesses and at their order. Unfortunately, this research is insignificant at this moment.

Each university has in its structure a career guidance service for students, which aims at establishing and strengthening relations between the university and the business environment. For example, the Academy of Economic Studies of Moldova has a Centre for Placement and Relations with Businesses (Economic Agents (CPRAE)), which is a structural

subunit within the Academy of Economic Studies of Moldova. The Centre has a subdivision in its structure - Business Incubator.

The **goal** of the Centre is to develop and ensure the fulfilment of strategies for students' placement in production practices, establishment of relations with different businesses with the purpose of placing students in the labour market, and training and monitoring of entrepreneurship of Business Incubator's residents. The main **objectives** for the accomplishment of the Centre's mission are:

- consulting and training in professional fields, covering the real needs of the market concerning the students' placement in the labour market;
- organizing training courses for employees and individuals;
- providing modern (updated) training programs using innovative methods of teaching - learning - assessment;
- providing professional support to employers (consulting, information, services);
- establishing relationships with the faculties of the Academy of Economic Studies of Moldova in order to provide support to graduates and employers;
- cooperation with similar Centres and other institutions at home and abroad.

The Centre has the following *tasks* and *responsibilities*:

- Development of strategies for students' placement via industry internships
- Establishment of reciprocally beneficial cooperation relations with companies;
- Supporting the graduates in the employment process;
- Consulting services regarding the employment process;
- Organization of workshops, conferences, contests with the participation of companies;
- Negotiation of cooperation contracts with companies;

In the case of State University of Moldova, the bridge toward business is provided by the Career Guidance and Labour Market Relations Centre. Within the Technical University of Moldova the University Centre for Information and Guidance (CENIOP), a specialized structure of the University in accordance with Tempus Project JEP-25121-2004 "Guidance and placement of students", was created for relations with business. The main objectives of the Centre are:

- promotion of academic values and University's image among young people, including high school graduates, students and graduates of the University;
- supporting, informing and consulting students and high school graduates regarding professional guidance to under-graduate students during the years of study, informing the students about job internships and job placements.

The Scientific Research and Technological Development Department of TUM provides contract-based research services for companies (the beneficiary is given scientific, technical and other documentation as set by the technical task and conditions of the contract). TUM has concluded framework agreements with relevant Societies in such areas as energy (electrical, thermal, gas, etc.), transportation, food industry, light industry, etc. On this ground, contracts are annually concluded with industrial enterprises within these associations, identifying the specific issues to be completed this year (for instance, organizing students' internships, carrying out research for companies with the assistance of students and lecturers).

Every year hundreds of graduation papers are being developed based on topics identified as enterprise's needs.

Companies can rent university facilities based on contracts approved by the Ministry of Education; revenues from rental or lease of public property managed by the institution, as well as corresponding utilities payments, become sources of additional revenue. Also, the University does not have the right to sell its property. It can be sold only by approval of the Ministry of Education and the money is being transferred to the state budget, given that the property is state-owned, regardless of the financial source for its construction.

Economic relations with companies are possible with regard to the following: contract-based training and continuous training of specialists both within all study cycles and at continuous training courses. Thus, during the last two years the Academy of Economic Studies provided continuous training services based on corporate contracts to the following companies: BC "Fincombank" etc. - 5 contracts, Centre for Combating Economic Crimes and Corruption - 1 contract, SE "Fiscservinform" - 1 contract, "Centre for Public Administration Consolidation" - 1 contract, LLC "Flornuc" - 1 contract, LLC "Prodent Com" - 1 contract, NGO "Business Women Association" - 1 contract, LLC "MCS" - 1 contract, etc. At the same time, companies can finance (sponsor) certain university programmes or activities. Usually these refer to scientific, cultural and student activities.

The main **threats** to financial autonomy of universities can arise from non-compliance of companies to contract provisions, as they might impose certain conditions, different from university areas of activity. Current legislation does not allow universities to borrow money from banks or other financial structures. Instead, universities have the right to earn their own resources by providing certain services: continuous training courses, organization of scientific conferences with participation of company representatives, publishing services, sports services, recreation centres, and others, etc. Universities participate in research projects and obtain corresponding research grants funded by the Academy of Sciences, companies, internal and external donors.

3.4.5. University – Internationalisation Interface

Universities are more autonomous when receiving support from foreign funds. Foreign funds are mainly project grants and the use of these funds is defined from the start, that is, only for carrying out project activities. Therefore, one cannot say whether the universities should be more autonomous in this case.

Universities have the right **to apply for international funds** by means of projects (exclusively). Thus, Tempus is the most frequently addressed programme in the Republic of Moldova, being the longest European programme playing an important role in modernising and reforming the education. Tempus programme is implemented in Moldova since 1994. Another programme is Erasmus Mundus, present in Moldova since 2006, which offers funding for:

- higher education institutions wishing to implement joint postgraduate programmes or to conclude inter-institutional cooperation partnerships with/between European universities; the programme is aimed at third countries;

- individual students, researchers and university staff, wishing to conduct study/research/lecture periods under the framework of one of the above mentioned programmes or cooperation partnerships;
- any organization operating in the area of higher education wishing to develop projects aimed at enhancing the attractiveness, profile, visibility and image of a European higher education institution worldwide.

The Erasmus Mundus programme provides Moldovan citizens with an opportunity to enrol in complete master courses for a 1.5-2 year period at one of the universities in the EU Member States. Applications are made directly to the European Commission, without intermediaries from Moldovan universities. During 2005-2011, 41 students and one university personnel from Moldova benefited from the Erasmus Mundus programme (Source: Report on Higher Education System of the Republic of Moldova, 2012).

Funding from international business takes place based on contracts signed between the university and external donors through institution's bank accounts. Attraction of such funds varies depending on year and project, but anyway the funds are not significant. Annual external funding ranges around 1-3%.

The number of foreign students in Moldovan universities is, unfortunately, very small. Each university is trying to develop policies for attracting foreign students, though Moldovan legislation (Law on Labour Migration No. 180-XVI of 10.07.2008, Official Monitor of the Republic of Moldova, 2008, No.162-164, art .598) does not offer these students the opportunity to work, as it exists in other countries. This thing represents a serious barrier because not all students can be supported by their parents. The situation has changed, at least legally, at the beginning of the current year when several amendments were introduced in the above mentioned law and under Article 5, ph.4¹, of the Law No.303 of 26.12.2012 regarding the amendment and supplementing of certain acts, "Foreigners with temporary residence permit for studies may perform work on the territory of the Republic of Moldova, in accordance with labour legislation, for a period not exceeding 10 hours per week or the equivalent in days during a year".

The Republic of Moldova is a country with a still forming economy, with political problems, which do not create the country a really good image in the world. Therefore there are few people in Europe and Asia who would like to study here and they have a specific reason to do so. People from Africa are interested in studying in Moldova, but most African countries belong to a high risk group of countries and their citizens obtain a residence permit with difficulty. Also, the experience shows that many people who come from different countries of the African continent use our country to go (often illegally) to EU countries.

Given all that, the universities have made efforts in the recent years to introduce study programmes in English in order to attract foreign students for integral studies or for mobility periods. Internationalization of higher education may have some **threats** for university autonomy by the fact that, as mentioned above, Moldovan universities are not quite attended by foreigners, and on the contrary, more and more Moldovan students leave the country to study abroad. Thus, the number of students coming to study will be lower which fact will decrease the financial sources of universities respectively. At the same time, universities may establish international relations in order to obtain additional revenue only by offering services: courses, three-level education, research and implementation of research results.

3.4.6. Conclusions

- Currently Moldovan universities are not fully autonomous when speaking in financial terms. Beginning with January 1, 2013, Government Decree No. 983 offers autonomy, including financial, to universities, but with a two-year transition period. Currently, external regulations limit the autonomy of higher education institutions in terms of budget development and execution.
- Public funding of universities is carried out based on actual expenditure in the previous year and does not take into account their performance. There is a formula based on which they would estimate the cost of a student. Budget allocations are calculated based on the need to pay employees, pay utilities, pay scholarships and other expenses necessary to maintain strict educational system functionality;
- Universities could not use and exploit the remaining financial balances. Their existence is explained by the fact that tuition fees are normally collected at the beginning of the study year. Many students do not pay the fee until the last moment, i.e. when they are close to not being admitted to examination session which is in December. Obviously, the university failed to capitalize this money until the end of the calendar year. Beginning with January 1, 2013 the situation changed and universities can use previous year's balance.
- The amount of tuition fees is below the actual cost of specialists' training. Universities cannot establish the tuition fee themselves, its value being established by Government Decree. Since January 1, 2013, it can be approved by the University Senate Decision and coordinated with the founder.
- Excessive state regulation affects the labour payment system. Limitations imposed on staff salaries leads to many lecturers working in several places to have a higher income.
- Universities have a certain degree of freedom when providing additions to salaries from special financial sources. Each university has its own methodology for calculating these additions, but not all these methodologies are based on employee performance.
- Students become more involved in university life, including their participation in taking certain decisions. Tuition fees paid by students are an additional significant source of income for universities. Also, universities grant students certain facilities in this regard, i.e. tax exemption, postponement of tax payment. All these, as well as the criteria for granting facilities to students are known by them.
- Regretfully, insufficient cooperation between business and universities, especially in terms of fundraising, remains.

3.5. Conclusion and Next Steps

The analysis of existing situation regarding university financial autonomy in the Republic of Moldova have allowed us to conclude that this component is at the beginning of the way. According to legal provisions, years 2013-2014 are considered years of transition to university autonomy. During this period the main rules, established in the respective legal acts and mentioned in the report, apply. At the moment, several ambiguous aspects can be highlighted. For example, what is the most efficient procedure for allocation of budgetary resources to universities? What are the expenditure items that need to be considered? How to calculate per student cost? What should be the relationship between the calculated value of this cost and the size of tuition fee? Do private universities need to receive state support? To find answers to these and other questions arising along the way we consider appropriate to study the experience of other countries and to identify possible solutions for Moldovan universities.

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24. Law on Labour Immigration, No. 180 -XVI of 10.07.2008. Monitorul Oficial Journal, No.162–164, 2008 (Article 598);
25. Law on the Modification and Completion of Some Legal Acts, No. 303 of 26.12.2012. Monitorul Oficial Journal, No. 64 - 68/195 of 29.03.2013;
26. Law on the Salary System in the Public Sector, No. 355 of 23.12.2005 (with subsequent amendments). Monitorul Oficial Journal, No. 35-38 of 03.03.2006 (Article 148);
27. Law on the Budgetary System and the Budgetary Process, No. 847 of 24.05.1996 (with subsequent amendments). Monitorul Oficial Journal, 2005, special edition;
28. Public Procurement Act, No. 96 (with subsequent amendments). Monitorul Oficial Journal, No. 107-111, of 7.07.2007 (Article 470);
29. Lucica Matei and Diana Camelia Iancu and Iulia Grigorovici (2010). Financing Public Education in the European Union. Case Study: The Higher Education System. Online at <http://mpira.ub.uni-muenchen.de/26854/> MPRA Paper No. 26854, posted 20.11.2010 10:22 UTC;
30. Korosaye-Orubite A. K., F. Godgift Paulley & Nath. M. Abraham University (2012). Autonomy, Academic Freedom and Academic Staff Union of Universities' (ASUU) Struggles in Nigeria: A Historical Perspective. In: Asian Social Science; Vol. 8, No. 12; ISSN 1911-2017 E-ISSN 1911-2025. Published by Canadian Centre of Science and Education, pages 265-275;
31. Order of the Ministry of Finance on approval of the Regulation on the Monthly Allocations of Revenues, Expenditures and Financing Sources of the State Budget, No. 154 of 01.12.2010. Monitorul Oficial Journal, No. 241-246 of 10.12.2010 (Article 946);
32. Order of the Ministry of Finance on the Budget Classification, No. 91 of 20.10.2008 (with subsequent amendments). Monitorul Oficial Journal, No. 195-196 of 31.10.2008 (Article 581);
33. Order of the Ministry of Finance on the approval of the Regulations on the Management of Special Funds of Public Institutions Financed from the Budget, No. 94 of 31.12.2004 (with subsequent amendments). Monitorul Oficial Journal, No. 39-41 of 11.03.2005;
34. Draft Proposal on the Public Policy (Ministry of Education): Development of University Management Capacities by Expanding University Autonomy, www.edu.md/.../PPP%20MEd%20Autonomia%20universitara_var_7;
35. Report on Higher Education of the Republic of Moldova, http://eacea.ec.europa.eu/tempus/participating_countries/reviews/moldova_review_of_higher_education.pdf, p.11;
36. Academy of Economic Studies of Moldova, Regulation on the Approach and Conditions of Setting Wages for the Employees of the Academy of Economic Studies of Moldova, approved at the AESM Senate meeting, 23.03.2011.

Appendixes

Appendix 3.1: Data sources

#	Type	Title
1.	Law	Law on Education, with amendments, No. 547 of 21.07.1995
2.	Law	Law on the Budgetary System and the Budgetary Process, No. 847 of 24.05.1996
3.	Law	Law on Labour Migration, No.180 -XVI of 10.07.2008
4.	Law	Law on the Modification and Completion of Some Legal Acts, No. 303 of 26.12.2012
5.	Law	Law on the Salary System in the Public Sector, No. 355 (with subsequent amendments) of 23.12.2005
6.	Law	Law on the budgetary system and the budgetary process, No. 847 of 24.05.1996 (with subsequent amendments)
7.	Law	Law on Public Procurements, No. 96 (with subsequent amendments)
8.	Law	Labour Code of the Republic of Moldova, No.154 of 28.03.2003
9.	RM Government Decree	Decree on approval of the Regulation on Norms of Public Institutions' Expenditures for Organising Conferences, Symposia, Festivals, etc., No.1151 of 02.09.2002 (with subsequent amendments)
10.	RM Government Decree	Decree on approval of the Regulation on the Detachment of Employees of Moldovan Institutions, No. 10 of 05.01.2012 (with subsequent amendments)
11.	RM Government Decree	Decree on the Amounts of Scholarships, Other Forms of Social Support for Students of Higher Education Institutions, Students of Secondary Specialized Educational Institutions and Vocational Secondary Institutions and for Trainees of Post-university Education, No.1009 of 01.09.2006 (with subsequent amendments)
12.	RM Government Decree	Decree on the Conditions of Staff Payroll in State Higher Education Institutions Under Financial Autonomy, No. 195 of 13.03.2013
13.	RM Government Decree	Decree on the Special Funds of Institutions under the Ministry of Education, No. 196 of 22.02.2007 (with subsequent amendments)
14.	RM Government Decree	Decree on the Salary Conditions of the Staff of Public Institutions, (with subsequent amendments), No. 381 of 13.04.2006
15.	Moldova	Decree on the Remuneration of Employees of Science/Innovation Public Organizations Financed from the State Budget, (with subsequent amendments), No. 47 of 12.01.2007
16.	RM Government Decree	Decree on the approval of the Regulation on the Lease of Unused Assets, No. 483 of 29.03.2008
17.	RM Government Decree	Decree on the approval of Interim Norms on Spending Money for Orphan Schoolchildren (students) and Children under Guardianship from Professional and Vocational Schools, Secondary Specialized Educational Institutions and Universities, Boarding Schools and Orphanages, No.870 of 28.07.2004 (with subsequent amendments)

#	Type	Title
18.	RM Government Decree	Decree on the Operation of State Higher Education Institutions in Conditions of Financial Autonomy, No. 983 of 22.12.2012
19.	RM Government Decree	Decree on the Accommodation Rates in the Dormitories of Secondary Vocational Education, Specialized Education, Higher Education and Science and Innovation Institutions, No. 99 of 30.01.2007
20.	RM Government Decree	Decree on the approval of Payment-Based Services Rendered by the Ministry of Culture and Subordinated Institutions, No. 1311 of 12.12.2005
21.	RM Government Decree	Decree on the Special Funds of Public Institutions and Organizations from Science and Innovation Areas within Moldovan Academy of Sciences, No. 724 of 26.06.2006
22.	RM Government Decree	Decree on the Constitution and Use of Special Funds of Public Institutions Subordinated to the Ministry of Health, No. 928 of 13.08.2007
23.	RM Government Decree	Decree on the Special Funds of Education, Science and Innovation Institutions Subordinated to the Ministry of Agriculture and Food Industry, No. 921 of 06.10.2010
24.	RM Government Decree	Order on approval of the Regulation on the Monthly Allocations of Revenues, Expenditures and Financing Sources of the State Budget, No. 154 of 01.12.2010
25.	Order of the Ministry of Finance	Order on the Budget Classification, No. 91 of 20.10.2008 (with subsequent amendments)
26.	Order of the Ministry of Finance	Order on the approval of the Regulation on the Management of Special Funds of Public Institutions Financed from the Budget, No. 94 of 31.12.2004 (with subsequent amendments)
27.	Order of the Ministry of Finance	Financing Higher Education in Romania (2007). – CNFIS opinion
28.	Informative material	Higher Education Governance in Europe. Policies, Structures, Financing and Academic Staff (2008), Eurydice
29.	Informative material	Andreescu Liviu "Academic Freedom. Between Theory and University Policy"
30.	Article/Paper	University Autonomy – Condition of Civilisation, Andrei MARGA
31.	Article/Paper	Lucica Matei and Diana Camelia Iancu and Iulia Grigorovici (2010) Financing Public Education in the European Union. Case Study: The Higher Education System
32.	Article/Paper	Korosaye-Orubite A. K., F. Godgift Paulley & Nath. M. Abraham University (2012) Autonomy, Academic Freedom and Academic Staff Union of Universities' (ASUU) Struggles in Nigeria: A Historical Perspective
33.	Article/Paper	Draft Proposal on the Public Policy (Ministry of Education): Development of University Management Capacities by Expanding University Autonomy
34.	Draft normative act	Report on Higher Education System of the Republic of Moldova

#	Type	Title
35.	Report	Academy of Economic Studies of Moldova, Regulation on the Approach and Conditions of Setting Wages for the Employees of the Academy of Economic Studies of Moldova
36.	Regulations	Thomas Estermann & Terhi Nokkala,2009, UNIVERSITY AUTONOMY IN EUROPE I, ExploRAToRy STUdy, ttp://www.rkrs.si/gradiva/dokumenti/EUA_Autonomy_Report_Final.pdf

Appendix 3.2: Data collection method - Financial Autonomy

Part I.

Interface I Government – University	<p>List the available financial resources of the University (types and basic rules for their distribution).</p> <p>What are the main principles of budget allocation for a specific university?</p> <p>What is the price policy in higher education (student fees regulation)?</p> <p>The main issues of Regulations on the Budget Distribution within the University.</p> <p>Does government support entitle it with the right to control the university?</p> <p>Can the university keep its extra public funding</p> <p>Does the possibility to own buildings allow the university to receive additional funding from rent?</p> <p>Are KPIs (performance indicators) based on research and teaching?</p> <p>Is the university state-funded or privately-funded?</p> <p>Does the university have the right to manage the budget according to its own policy or according to government decisions?</p> <p>What is the share of state funding within university budget?</p> <p>What rules are established by state regarding public funds?</p> <p>Can private universities be funded by the state?</p> <p>Does the government establish additional fees if the University proposes the budget and plans budgetary evolution?</p> <p>Is there any possibility that financial autonomy could lead higher education institutions away from the needs of students?</p> <p>What are the disadvantages of transition toward university autonomy?</p> <p>Is it reasonable, given the autonomy of Moldovan universities, to introduce a university funding system based on quality indicators?</p> <p>What types of financial flows can improve university autonomy?</p> <p>Would financial autonomy cause separation between the state and the university?</p> <p>What methods could be employed for financing and administration of funds under university autonomy conditions?</p> <p>Would diversification of funding sources allow to get rid of financial dependence and limited autonomy?</p> <p>What level of autonomy should have the person responsible for financial and economic activity of the university?</p> <p>When providing state grants for financial operation of universities is there a transparent and methodologically-based allocation procedure?</p> <p>What is public funding cycle period?</p> <p>Does the university have the right to set tuition fees?</p> <p>How are funded all three university levels (focusing on doctoral studies)?</p>
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Interface II Management – University Staff	Should government regulate employees' wages? Can university infrastructure be improved if the university would own buildings or borrow money? Internal rules for employees' motivation. Are KPIs (performance indicators) based on research and teaching? Are minimal and maximal salaries of academic staff established by law? Can the rector, the deans and heads of departments propose salaries within these limits? Does the state provide salary funding based on the number of students? Is the university in charge of establishing the structure and employees' salaries? Are there wage limits for employees? Are outsourcing funds available to the university? What staff categories would benefit from the financial autonomy of the university? Would financial autonomy limit the freedom of scientific research? Does the university allow its employees to receive wages for overtime work performed at the university? Can staff be employed part-time outside the university?
Interface III University Staff – Students	Is the student more exact when paying a full tuition fee? Must the size of tuition fee be regulated by the government? Should the government regulate the number of students? Can the university award tuition grants to students from its own funds? What are the additional fees paid by students and what are they used for? Is there the idea of funding per student /area? Do students have to pay any taxes? What is the role of students in the support of the financial autonomy of the university? Do students receive financial support from the university? Are students aware of tuition fees and financial support?
Interface IV University – Business environment	Is the university more autonomous if it receives financial support from the business environment? Can business influence research fields by funding specific research areas? Could the university invest in its infrastructure if it could borrow money from financial markets? Are there special support measures to strengthen university-business relationship? List them Does funding from private companies require the university to accept sponsor policies? Can the university rent its premises to obtain additional income? Does the university have the right to sell some share of its property? Is it possible an economic relationship with the business? Can business finance any programmes? What kind of collaboration with local business is effective in terms of supporting the financial autonomy of the university? What commissions from private corporations can contribute to the financial autonomy of the university? What are the main threats to the financial autonomy that can arise from business structures? Does the university have the right to request loans or borrow money? Does the university have the right to earn own resources from economic activities? Can the university compete with other companies to obtain research grants within national competitions?

Interface V University – Internationali- zation	<p>Is the university autonomous when receiving support from foreign funds?</p> <p>Does the university have the right to use international funds?</p> <p>What kind of financing is employed by international business?</p> <p>How many external funds are raised in this context?</p> <p>What are the policies for attracting foreign students?</p> <p>What are the main threats to the financial autonomy that would arise from the internationalization of higher education?</p> <p>Can the university establish international relations in order to obtain additional income?</p>
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Part II.

83.	What proportion of University funding is provided by the Government? (give a %)		
			Please tick
			Yes No
84.	Please indicate which of the following apply in the allocation of Funding to HEIs		
	Negotiation on the basis of an estimate from the institution		
	Fixed on the basis of past costs		
	Formula funding		
	Performance contract		
	Funding for research projects on a competitive basis		
85.	Do performance indicators play a role in funding allocations?	Yes	No
86.	Are there restrictions in the way in which the University can use the funding?	Yes	No
87.	Does this include allocations to Faculties?	Yes	No
88.	Does this include allocations to Departments?	Yes	No
89.	Is research funded separately?	Yes	No
90.	If no, is it part of a block grant?	Yes	No
91.	Please indicate which of the following accountability measures apply and whether they are mandatory or optional:	Mandatory	Optional
	External financial audit		
	Internal financial audit		
	Fulfilment of institutional strategic plans		
	Achievement of performance indicators		
92.	Are institutions able to carry forward unspent funding from one year to the next?	Yes	No
93.	If so, is there a limit on the amount or percentage of funding which can be carried forward?	Yes	No
94.	Are institutions free to make investments?	Yes	No
95.	Are institutions able to take out commercial loans?	Yes	No

Evaluation of Existing Situation of Financial Autonomy

96.	Do HEIs charge tuition fees?	Yes	No
97.	Are tuition fees fixed by:	Yes	No
	The Government?		
	The University?		
98.	If by the University, are there any restrictions on the level of fees which may be charged?	Yes	No
99.	Are Universities restricted in the way in which they can use tuition fees income?	Yes	No
100.	Do tuition fees constitute a significant (15% or more) element in the funding of HEIs?	Yes	No
101.	Are Universities encouraged to seek private funding?	Yes	No
102.	If they are successful in achieving private funding, are they restricted in how they may use it?	Yes	No
103.	Is the University required to report on the amount of and use of private funding?	Yes	No
104.	Are Universities free to create commercial companies?	Yes	No
105.	Please tick any of the following sources of private funding which are actually available to Universities:		
	Donations/legacies		
	Loans		
	Rent/revenue from property		
	Sponsorship of posts		
	Use of research results/contracted research		
	Fees from service provision		
	Interest on investments		
	Creation of commercial companies		
106.	Do independent private Higher Education Institutions receive any public funding?	Yes	No
107.	Are Universities responsible for their infrastructure including buildings?	Yes	No
108.	Are Universities responsible for the maintenance of their estates?	Yes	No
109.	Is the University responsible for capital development?	Yes	No
110.	How is this funded?	Yes	No
111.	Do Universities have highly trained professional staff to manage their finance?	Yes	No
112.	Who appoints the Head of Finance -	Yes	No
	The Government?		
	The Rector?		
113.	Does the Head of Finance have any direct responsibility/reporting line to the Ministry?	Yes	No
114.	Do Universities operate an internal resource allocation model?	Yes	No
115.	Have Universities established separate cost centres?	Yes	No
116.	If yes, is there a system of devolved budgets?	Yes	No

4. EVALUATION OF EXISTING SITUATION OF HUMAN RESOURCES AUTONOMY IN MOLDOVA

4.1. Introduction

Purpose

The goal of the conducted research was to assess the current situation regarding the human resources component of university autonomy in the Republic of Moldova. The research objectives were to identify the various problems that exist at present in Moldova in the human resources component of universities in terms of relations between Government and University (Interface I), management and human resources (Interface II), human resources and students (Interface III), University and businesses (Interface IV), University and internationalization (Interface V).

Definitions

In order to clarify the notion of human resource autonomy in the context of university autonomy, it is necessary to define the concept of autonomy, which literally means “the right to govern by own laws” (as per the Petit Robert dictionary), “self-government” (Oxford Advanced Learners Dictionary), “government with its own laws” (Devoto Oli “Dizionario della lingua italiana”). Moreover, as Kant had noted, “autonomy” is made of “auto” and “nomos” – which means “to live by your own laws”. This understanding of autonomy is found in international laws and declarations such as the Declaration of Rights and Duties Inherent in Academic Freedom (Siena, 1982), The Lima Declaration on Academic Freedom and Autonomy of Institutions of Higher Education (1988), The Magna Charta of European Universities (Bologna, 1988), The Dar es Salaam Declaration (1990), and The Kampala Declaration (1990). The Lima Declaration states that “Autonomy means the independence of higher education institutions from the state and all other forces of society, in making decisions on internal governance, finance, management, and in determining their own policies on education, scientific research, services and other activities” (Academic Freedom and University Autonomy, p. 53). As the universal experience shows, the public responsibility can be fully achieved only in conditions of full autonomy, as there is no responsibility where there is no decision-making freedom. Certainly, it is not easy to obtain “university autonomy” (it implies vision, managerial competence, entrepreneurship, the ability to reach a consensus, concern for the integration of diversity, etc.), but it is still an indispensable value of the civilized world.

The Declaration of European Universities (2007) identifies four areas that characterize a modern university, including **human resource autonomy**, which implies the liberty of the university to recruit and select qualified human resources, responsibility for contracting work, and setting wages and salary increases based on the value of human potential.

University autonomy in the human resource area represents the right of the university community to establish its own institutional strategy for organizing and managing the human resources of the university by promoting educational and research priorities, institutional flexibility and the security of work relations, in accordance with the law. *University autonomy in the human resource area* is produced through its own employment, monitoring, motivation, and flexibility mechanisms.

Staff hiring mechanisms involve developing and implementing unified procedures for hiring scientific-teaching, research and administrative (technical) staff, specific to the given university, within the limits established by law.

Staff monitoring mechanisms involve an integrative approach to academic staff activities through periodic and permanent evaluations, ensuring healthy competition, personalized accountability and a customized approach to one's work in line with higher education institutions objectives.

Staff motivation mechanisms involve the application of clear and non-discriminatory procedures for encouraging academic staff, as well as the application of sanctions, within the limits set by law, focused on the personal responsibility of each employee of the University.

Staff flexibility mechanisms involve setting efficient procedures for determining the optimal number of teaching-scientific, research and administrative (technical) units, and applying employee layoffs as a university development measure.

The development of some relevant strategies in the field of human resources. In this context, these strategies should be based on the axiom that human resources are the main and prospective resource of higher education. They determine decisively the action potential. The achievement of the action assumed by any institution of higher education in the Republic of Moldova depends essentially on the quality and on the effort of all staff, on the way they make the selection and the promotion.

Promoting equality and diversity assumes that any institution of higher education is guided by the fundamental principles of regulating employment relationships and those directly related to them, which guarantee the equality of rights and opportunities for employees, ensuring equality of employees without any discrimination, getting promoted taking into account labour productivity, qualifications and work experience in the professional field; ensuring the right of every employee to fair working conditions, including working conditions that follow the requirements for health and safety at work and the right to rest, including the regulation of working time, the granting of annual leave, daily rest breaks, days off and non-working holidays; prohibiting discrimination in employment relationships.

Ensuring adequate training and development opportunities, including management and leadership. It involves ensuring equality for employees regarding training, refresher courses and improvement.

Establishing some procedures for management communication and collective bargaining, which include ensuring the right of employees and employers in association to defend their rights and interests, including the right of employees to join trade unions and to be trade union members; ensuring the right of employees to participate in the management of institutions of higher education in the forms prescribed by law (Faculty Board,

Senate); ensuring the right of trade unions to exercise public control over compliance with labour laws.

The development of planning the required personnel. It consists in occupying all positions currently available in the quantity required and necessary in order to avoid certain problems, such as lack of personnel for specific skills important at a time.

Supporting change management is a process that would allow institutions of higher education to modify any part of its structure so as to cope effectively in a constantly changing environment. This process includes activities aimed at ensuring management support concerning changes that are necessary and useful for the institution of higher education. The goal is to manage possible changes, while maintaining high standards of educational quality.

In addition to the above, we extend the definition of human resources autonomy by analysing its relationship with five interfaces that characterize external and internal points of interactions between modern universities and their key stakeholders. These interfaces are: government – university; university – university staff; university staff – students; university – businesses; and university – internationalization.

Methodology

To achieve the above aim, we conducted a desk-top research. We collected and analysed secondary data derived from laws that directly or indirectly regulate higher education system in Moldova: governmental and ministerial decrees, state and private university charters, as well as university internal organizational and academic structures. The list of reviewed data is presented in Appendix 1. In the process of data collection we followed the generic draft methodology designed by the EUniAM team (Appendix 2). Data was collected and analysed by a team of ten.

Report Structure

Following this introduction, Chapter 2 describes the research methodology used in this study. Chapter 3 presents the results and discusses the level of financial autonomy which is now manifested and regulated in Moldovan universities. Chapter 4 analyses and interprets these findings in relation to the five interfaces identified. Chapter 5 concludes the report.

4.2. Methodology

Introduction

This chapter describes the research methodology that we have employed in order to achieve the aim of the report that is to analyse the degree to which human resources autonomy is currently manifested and regulated in Moldovan universities, both state and private. We proceed in this Chapter by describing the type and sources of data we collected, then by describing how these data were analysed.

Data Collection

We conducted a desktop research, collecting secondary data derived from laws that directly or indirectly regulate higher education system in Moldova, governmental and ministerial decrees, state and private university charters, as well as university internal organizational and academic structures. In addition to external, governmental and ministerial data, we have collected data internally from 5-6 state universities: State University of Moldova, State University of Medicine and Pharmacy “Nicolae Testemițanu”, Technical University of Moldova, Academy of Economic Studies of Moldova and State University “Alecu Russo” of Balti. We chose these universities for the following reasons: the first four are the largest and oldest institutions in the country, and the last educational institution is the largest regional institution of higher education. While collecting the data the legal acts of the institutions of higher education have been consulted. We have selected these universities based on the following criteria: the size and the length of their activity.

We have reviewed and analysed 26 documents, adding up to approximately 1500 pages overall. The list of reviewed data is presented in Appendix 1. The electronic copies of reviewed material from Appendix 1 are available on the project intranet: <http://euniam-moodle.samf.aau.dk/>. In the process of data collection we followed the generic draft methodology designed by the EUniAM team (Appendix 2).

We created a single database for all members of the working group, comprising several working folders, including:

- International law – all international acts (declarations, pacts, treaties) with reference to the HR component of university autonomy.
- National law – all laws, government decisions, and regulations with regard to the HR component of university autonomy.
- Internal documents of some universities, such as State University of Moldova, further SUM, State University of Medicine and Pharmacy “Nicolae Testemițanu”, further SUMPh, Technical University of Moldova, further TUM, Academy of Economic Studies of Moldova further AESM and State University “Alecu Russo” of Balti, further SUB – statutes (charters), internal regulations, code of ethics, certification regulations, and other internal documents prepared and approved by each institution.
- Internal documents of other higher education institutions.
- The data was selected based on the criterion that each team member was named responsible for establishing and giving an account of the facts related to one single interface of the five identified.

Data Analysis

Our team first reviewed the identified external (governmental and ministerial) and internal (university) documents (see Appendix 1), aiming to distil the properties and indicators of human resources autonomy embedded implicitly in these documents. In this within-case analysis, we built on properties and indicators of human resources autonomy as defined by Declaration of European Universities (2007), as well as defined in the generic draft methodology. Through brain-storming during the analysis faze, we also extended this list (Table 1).

Our next step after understanding how human resources autonomy is manifested and regulated in Moldova was to conduct a cross-case analysis, i.e., to analyse the potential impact human resources autonomy might have on the identified five interfaces that are part of the institutional autonomy of universities, namely: government – university; university – university staff; university staff – students; university – businesses; and university – internationalization. The potential relationships and respective impacts are presented in Table 2.

Table 4.1: *Understanding of Human Resources autonomy in the Republic of Moldova*

Properties / indicators	Source (title and quote source)	Comments / Description
Liberty of universities to decide on the procedures for recruitment / employment	Labour Code of the Republic of Moldova, adopted by the Moldovan Parliament by Law No. 154-XV of 28.03.2003; Code on Science and Innovations of the Republic of Moldova, No. 259 of 15.07.2004; Law on Education No. 547 of 21.07.1995; Regulation on Filling Academic Positions in Higher Education Institutions, Government Decree No. 854 of 21.09.2010	Recruitment procedures shall be governed by the normative acts very restrictively, especially, in terms of academic positions. Higher education institutions cannot employ academic personnel without respecting the stipulations of Regulation; institutions have the right to establish only additional conditions related to professional qualities of potential employee
Liberty of universities to decide on the promotion of employees	Labour Code of the Republic of Moldova, adopted by the Moldovan Parliament by Law No. 154-XV of 28.03.2003; Regulation on Filling Academic Positions in Higher Education Institutions, Government Decree No. 854 of 21.09.2010 Code on Science and Innovations of the Republic of Moldova No. 259 of 15.07.2004;	Basically, the higher education institutions have the right to decide on promoting employees by respecting the laws in force. In this sense we consider Regulation on Filling Academic Positions in Higher Education Institutions
Liberty to decide on labour norming	Labour Code of the Republic of Moldova, adopted by the Moldovan Parliament by Law No. 154-XV of 28.03.2003; Law on the Salary System in the Public Sector, No. 355 of 25.12.2005; Regulation on the Salary Conditions of the Staff of Public Institutions, Government Decree No. 381 of 13.04.2006; Regulation on the Conditions of Staff Payroll in State Higher Education Institutions under Financial Autonomy, Government Decree No. 195 of 13.03.2013.	Monthly salaries for teaching positions in higher education institutions in Moldova are established for 148 hours per month, based on reduced working week of 35 hours, and it is applicable without changing the norms of the teacher's responsibilities. The distribution of working time for teachers is done according to ministerial orders of the 90s.

Properties / indicators	Source (title and quote source)	Comments / Description
Liberty to decide on the remuneration	Labour Code of the Republic of Moldova, adopted by the Moldovan Parliament by Law No. 154-XV of 28.03.2003; Law on the Salary System in the Public Sector No. 355 of 25.12.2005; Regulation on the Salary Conditions of the Staff of Public Institutions, Government Decree No. 381 of 13.04.2006; Regulation on the Conditions of Staff Payroll in State Higher Education Institutions under Financial Autonomy, Government Decree No. 195 of 13.03.2013.	Higher education institutions are very limited in this regard; Function salaries are set in strict accordance with the law, without any exceptions to the law. There is a certain freedom in fixing incentive payments and awards for achievements in work, the size of which is not limited.
Liberty to decide on the termination of employment contracts	Labour Code of the Republic of Moldova, adopted by the Moldovan Parliament by Law No. 154-XV of 28.03.2003; Regulation on Filling Academic Positions in Higher Education Institutions, Government Decree No. 854 of 21.09.2010; Regulation on Filling Academic Positions in Higher Education Institutions, Government Decree No. 854 of 21.09.2010;	According to the Labour Code of the Republic of Moldova, individual employment contracts, including concluded with the staff working in higher education institutions may be terminated: a) in circumstances that do not depend on the will of the parties (Article 82, 305 and 310 of the Code); b) at the initiative of one of the parties (Article 85 and 86 of the Labour Code). Termination of the individual employment contract is legalized by the rector's order. Order of the rector on individual employment termination shall be notified to the employee under signature. On the release day of the employee from work, the higher education institution is obliged to return the employment record completed, in the manner set at the enrolment, on individual employment termination reasons and to make the payment of all due amounts to the employee. Registrations on individual reasons for termination of employment shall be made in strict accordance with the legislation in force, indicating the article, paragraph, point, and the corresponding letter of the law. Termination of the individual labour contract day shall be considered the employee's last day of work

Table 4.2: *Relationship between Human Resource autonomy and academic interfaces*

Interface	Relationship (incl., quotes)	Impact
Government – University	The Labour Code regulates the fundamental principles of labour law, making a minor reference to labour relations in higher education institutions	The Labour Code of the Republic of Moldova, adopted by the Parliament by Law No. 154-XV of 28.03.2003, published in Official Monitor of the Republic of Moldova No. 159-162/648 of 29.07.2003, is the framework law in labour relations, being mandatory for all employees and employers working in the Republic of Moldova. These stipulations have an impact inclusively on employers-higher education institutions that is why the hierarchically superior body/the founder-the competent ministry must take care that all normative acts containing norms of labour law to be consistent with the stipulations of the Labour Code.
Management – University Staff	Labour Code; Law on Education no. 547 of 21.07.1995; Regulation on Filling Academic Positions in Higher Education Institutions, Government Decree No. 854 of 21.09.2010.	Proceeding from the stipulations of legislation in force of the universities, the employees are not public officers. The Labour Code stipulates the legal procedure of their employment and dismissal. According to Labour Code stipulations, the staff dismissal, in relation to the staff reduction, is possible only when proceeding from particular legal and economic well-reasoned arguments of the university. Legal mean of dismissal is expressly governed by Articles 88, 183 of the Labour Code of the Republic of Moldova. A specific stipulation for educational institutions is regulated in Article 86 lit. M) - the Labour Code of the Republic of Moldova - committing of immoral deeds by an employee, fulfilling educational positions, is incompatible with his position. In order to apply this stipulation, educational institutions have drawn up and approved the moral or the ethical code of the institution that expressly stipulate the methodology of stating immoral deeds. There are certain situations when the moral limit in activity is difficult to be found, proceeding from the lack of eloquent evidence when students submit petitions without indicating expressly the petitioner (anonymous) being afraid of not being revenged. Or another situation, when referring to taking bribes, which can be identified only by law enforcement authorities, but these actions equally may be considered immoral. Another legal regulation referring to the dismissal of employees of educational institutions is specified in the art. 86 letter e) – stating the fact that the employee does not correspond to the held position or performed work as a result of insufficient qualification confirmed by the decision of the Board of Attestation. In this case, universities are free to draw up and approve the Regulation on attestation, where the attestation procedure, criteria and competences are stipulated,.

Interface	Relationship (incl., quotes)	Impact
University Staff – Students	Regulation on the Organisation of Higher Education Studies under the National Study Credit System	<p>Student self-governance is one of the 10 principles of the Bologna Declaration Process. Every university in the country has student organizations that represent the interests of all students and the studying youth.</p> <p>Though having different names, the principles of activity actually are identical. Such organizations can be: Students and Residents Association of the State University of Medicine and Pharmacy “Nicolae Testemițanu” which represents the interests of all students and residents of this university; Students’ Trade Union of Technical University of Moldova which has 125 active students; Student Senate of State Pedagogical University “Ion Creanga” which has 25 students; Student Senate of Academy of Economic Studies of Moldova has 51 members; Student Senate of SUB.</p> <p>The goals of these organizations are to stimulate students’ participation in student activity, in making decisions and in implementing them within the universities, to foster dialogue between students, teachers, faculty management, Universities administration and other institutions that activate in the fields of youth and education.</p>
University – Business	Law on Education No. 547 of 21.07.1995	<p>Business representatives’ involvement in the teaching process can bring significant benefits for the university - the content of the teaching process conducted by representatives of the business becomes more attractive as it reflects a practical use. In joint projects (university-business) didactic-scientific activity of the University with full autonomy will become more attractive and those involved will benefit from: use of their intellectual potential and skills improvement; university will become better known in the business environment and more attractive for graduating students; universities will benefit from additional financial support, which will develop and enhance the teaching staff and research; the development and refining of its material basis, of teaching and research processes; internship position for students</p>

Interface	Relationship (incl., quotes)	Impact
University- Internationali- sation	Law on the Legal Status of Foreign Citizens and Stateless Persons in the Republic of Moldova No. 275 of 10.11.1994; Regulation on the mobility of students and teachers in higher education institutions	The participation in international projects enables employees of higher education institutions to familiarize themselves with visions of the person in charge for the European Higher Education Area, to share their experiences and to disseminate good practices acquired. Simultaneously, an increased attention is given not only to the problems the higher education faces in our country, but also to their solving strategies. The importance of the university internationalization interface analysis is enhanced by the academic practice to implement projects funded by Tempus, Erasmus-Mundus, AUF, UNESCO, Pestalozzi, DAAD, Fulbright EDMUND S. Muskie, CEEPUS and FP7 programmes.

Conclusion

In this chapter we presented the research methodology that we employed in order to achieve the aim of the study. We have collected and analysed secondary data derived from governmental and ministerial documents as well as from internal documents of 5-6 state universities. We have conducted within- and cross-case analysis of human resources autonomy. Next Chapter – Chapter 3 – will describe the findings that emerged during within-case analysis (Table 1). Chapter 4, in its turn, will present the findings that emerged from the cross-case analysis (Table 2) of human resources autonomy and five interfaces of institutional autonomy of universities.

4.3. Understanding Human Resource Autonomy

Introduction

In this chapter we aim to distil and discuss about the properties and the indicators of human resources autonomy embedded in the context of higher education in Moldova. Having analysed a number of governmental and ministerial documents as well as internal documents from selected universities (Appendix 1), we have developed a comprehensive view – framework – of the degree to which human resources autonomy is currently manifested and regulated in the Moldovan higher education sector (Table 1). The discussion in this chapter will be around this emerging framework and backed up by a number of cases that will exemplify critical points in the discussion.

4.3.1. Liberty of the Universities to Decide on Recruitment Procedures

Higher education institutions (universities, academies, institutes) are public institutions within the education system in Moldova, subordinated to the Ministry of Education and operate under the Constitution of the Republic of Moldova, Law on Education, legislation in effect, international agreements and conventions signed by the Republic of Moldova, as well as its own regulations and decisions, including the status of the institution – University Charter. Within a higher education institution (e.g. SUARB) activate the following categories of employees:

1. *Management staff* – rector, vice-rectors, deans, department chairs, director and deputy directors of the Pedagogical College “Ion Creanga”, director and deputy directors of the University Scientific Library, administrative heads of the university, scientific secretary of the University Senate.

2. *Teaching staff* – assistant professors, lecturers, senior lecturers, professors and associate professors, and teachers from middle / secondary special institutions affiliated to the University.

3. *Research staff* – coordinating scientific researcher, intern researcher, leading scientific researcher, scientific researcher, senior researcher, invited researcher, scientific consultant.

4. *Staff with complex functions in the field of education:*

- support didactic staff – librarians, bibliographers, laboratory assistants, technicians, IT engineers;
- administrative staff – secretaries, archive workers, accountants, HR and economic planning department staff, head of dormitories, engineers, management staff in the field of catering (student canteen), administrative and study buildings intendants;
- auxiliary and service staff – workers of various skills, guards, cooks, bakers, service personnel of study buildings and dormitories, room and grounds keepers, drivers, etc.

This reference to the categories of staff is not expressly established in any normative act/regulation, it is just a division of the categories of staff that is encountered in the normative acts/regulations that establish wage conditions in higher education institutions and public law organizations in the field of science and innovation as well as in the Classifier of Occupations in Moldova. In this context, we are facing a total lack of staff autonomy, the managers of higher education institutions are forced to draw up the staff taking into account these limited positions, which often do not correspond to the needs of the institution and the stipulations of the employee's job description give distinct position from the one the employee activates. For example, Government Decree No. 381 of 13.04.2006 “Regulation on the Salary Conditions of the Staff of Public Institutions” does not contain positions that can be attributed the executive staff of the Quality Management Departments, International Relations Department, and Information Technologies Department. In this sense, the managers of higher education institutions try to adjust some staff categories, which work within the institutions, lowering the stipulations of normative acts in force to the social realities and drawing up some detailed job descriptions.

Management staff positions (rector, vice-rectors, deans, vice-deans, head of studies, department chairs) in higher education institutions can be occupied according to the *Regulations on taking Up Management Positions and Electing Governing Bodies in Higher Education Institutions in Moldova* (approved by the Decision of the Ministry of Education No.2 / 1 of 28.10.2011).

The *rector* is elected on a competitive basis by the institution's Senate and confirmed by the Government. Rector's elections are regulated by the Regulations issued by the Ministry of Education and approved by the Government Decree No. 112 of 28.02.1996. At the moment this procedure is in force. The Regulation establishes both the conditions, which the potential candidate for the position of rector should satisfy, and the way the elections take place.

Vice-rectors and *heads of studies* are appointed and dismissed by the rector, through an order, with the agreement of the Ministry of Education and relevant ministries. This is a total lack of autonomy as the rector being the head and the employer of education institution should have the right to select its own management team, free and without any interference on behalf of authorities.

According to the Art.297 (2) of the Labour Code of the Republic of Moldova and the before mentioned Regulation, *dean* and *department chair* positions are elected and can be filled on a competitive basis for a period of 5 years. In accordance with the regulatory frameworks of the higher education institution's departments and chairs, approved by the Ministry of Education Order No. ME. 671 of 06.08.2010, dean and head of the department positions are considered additional work to the basic teaching positions. For this reason, art. 104, paragraph 1 of the Labour Code of the Republic of Moldova establishes a salary increase in the amount of 25% for deans and 10-20% for department chairs. Requirements for these positions are: to be a citizen of the Republic of Moldova, to possess a teaching scientific degree and title in the field, to know the state language, to submit an activity programme for the appropriate unit (it represents an operational plan for a period of 5 years, which describes certain goals and actions to be undertaken in order to achieve the desired objectives. The guideline of this plan is required to be taken from the institution Development Strategy), and to be below the retirement age.

Deans may have deputies in subordination, depending on the number of students in the faculty. The position of vice-dean is also considered as additional work to the main teaching position, according to article 104 (1) of the Labour Code. Typically, for full-time studies, the vice-dean unit is granted when the number of students is over 500. If the quota of students is more than 800, then a second vice-dean is granted. For part-time study, the vice-dean unit is granted if the number of students exceeds 500. Vice-dean positions can be occupied by persons holding scientific-didactic titles. Vice-deans are appointed and dismissed by order of the Rector upon the dean's proposal. Usually, a newly elected dean comes with his team, inclusively with a new deputy dean. The position of deputy dean is a managerial position additional to the basic didactic one, in case of dismissal from the position of deputy dean; the employee does not remain without job, but only without a managerial function.

Academic staff may occupy academic positions in higher education institutions as stated in Art.297 (1) of the Labour Code of the Republic of Moldova and the *Regulations on Fill-*

ing *Academic Positions in Higher Education Institutions*, approved by Government Decree No. 854 of 21.09.2010.

According to the regulations, teaching positions (assistant professor, lecturer, senior university lecturer, associate professor, professor) are filled in on a competitive basis. There are certain requirements for each teaching position (bachelor's or master's degree, scientific degree, didactic and scientific title, scientific publications, methodological and didactic work, didactic and scientific activity seniority, etc.). The person passing the contest is hired under an *individual employment contract* for a period of 5 years. Duties of teachers are set out in the *job description* approved by the rector of the institution, which is attached to the employment contract.

Another category of staff in higher education institutions is the *scientific staff*, usually employed under work contracts in research projects. These projects are acquired under a Financing Contract between the Moldova Academy of Sciences and the educational institution. They are remunerated in accordance with the Governmental Decision no. 47 of 12.01.2007 on the remuneration of employees' of science and innovation public organizations financed by the state budget.

Instructional-auxiliary, administrative and household staff is employed based on the *Qualification requirements for payroll categories for complex specialties staff from state-funded institutions and organizations*, developed according to Government Decree No. 154 of 29.03.1994. This legislation, which should be renewed, includes qualification requirements for technical managers, professionals (dispatcher, tester, commodities expert, surveyor, accountant, etc.) and executors – specific functions for all branches of the budgetary sphere. When employing such staff we experience a shortage of legislative regulations, the only source being outdated books (Финансирование науки и подготовки кадров, Москва - 1981 Высшая школа, Москва - 1978).

All personnel categories mentioned above are employed and managed by the university within the legal framework and the job title list. The job title list shall be provided annually and may change during the academic year. Academic positions and the number of positions are established considering the study plans, study formations, and university norms. Job title lists are developed at the level of departments, chairs, services, and are then verified by the appropriate services, approved by the management and coordinated with the Ministry of Education. Personnel structure is a university prerogative and it is not validated by an external quality control agency. At present, there is no regulation that would describe the order in which the job title list should be developed: preparation, establishment, verification, approval, coordination, etc.

After a description of the requirements for hiring staff, we would like to further refer to some aspects of the universities' activity, namely: freedom of professors, corruption in the university, and the expected positive consequences of university autonomy.

Referring to the limitations to a professor's freedom, expressed in the university internal regulatory documents, we can notice that the professor has the right to:

- select his/her own study programs, teaching form and methods, textbooks and teaching materials approved by the Ministry of Education, regarded as appropriate for the achievement of state education standards;

- to participate in the continuous improvement of study plans and analytic programmes, textbook development, methodical works, and to conduct scientific research;
- to express freely and openly his/her scientific and professional opinion and to suggest standards for knowledge validation;
- to contest any decision of a governing body or person from the institution, in a hierarchical fashion in courts of law, if he/she feels that rights and freedoms are being violated;
- to be granted leave of up to three months, maintaining wage, for textbook development, methodical works, monographs at the request of the Ministry of Education;
- to be granted leave, with or without wage, to finalize the PhD thesis and a creative leave of up to two months, keeping the wage established by law, in order to complete the thesis of doctor habilitate;
- To undergo a qualification increase method once in every five years.

Academic and scientific staff has equal rights in the field of teaching and scientific activity and can work concurrently within legal limits.

The approach encourages critical intellectual partnership and cooperation regardless of political or religious beliefs. All teachers have the right to personal autonomy and privacy in matters within their personal lives. At the same time, personal autonomy should not touch the rights and freedoms of other persons in the same environment, and the right of the university to a positive public image. Violation of personal autonomy and privacy, by those responsible for ensuring it, is sanctioned disciplinary, civil or criminal depending on the seriousness of the offense.

In addition to professional freedom, professors and other employees have rights and obligations stipulated in the Code of University Ethics, internal regulations, the individual work contract, and the current legislation. A main component of the university ethics and a moral obligation of each employee are to prevent and eradicate potential corruption in the university environment, as corruption generates unfair treatment, injustices and favouritisms, creates suspicions and lack of trust in the value of diplomas and the professional competence of graduates. Corruption cases and the forms of university corruption, including corruption attempts are sanctioned by law and/or institutionally, depending on the seriousness of the offense, from warnings to exclusion from the institution.

4.3.2. Liberty to Decide on Promoting the Employees

Case study: The *Regulation on Filling Academic Positions in Higher Education Institutions* states that “teaching positions shall be filled on a competitive basis”. However, the academic year begins on 1 September and teachers must be already hired to begin the process of education. Under the terms of the regulation, the competition should be announced in July, the application period lasts for a month, then there should be open lectures, department meetings, etc. It should be noted that it is not possible to fulfil this requirement, because in this period teachers are on vacation and students are on a break. Consequently, so as not to break the educational process, teachers are initially employed in their position before the official contest. It is a practice used in all higher education institutions in Moldova, but

this resolute condition leads to different interpretations from the part of the teachers who concluded an individual contract affected by such a condition and implicitly to labour disputes. In order to avoid such situations it is better for the institution to draw up a calendar of contests, for example: two times a year, in autumn and spring, everyone who has the individual employment contract expired should participate in the contest till the dead line. Those who do not satisfy the requirements would conclude the employment contract for 1 academic year.

Case study: Under section 5 of the aforementioned *Regulation*, *the decision to announce the contest is made three months in advance*, which contradicts the current legislation that does not allow announcing contests for positions that are still filled. The contest deadlines for professors are different (depending on department board meetings, Senate meetings), and department board and Senate meetings cannot take place at the earliest opportunity.

Given the above, the contest is conducted 2 times per year, and three months before the expiry of the selection deadline, professors are informed about the expiration of the contractual deadline. For those persons whose contract term expired, the labour activity will be extended until a new contest is announced. The periodicity of the contest differs from one institution to another, depending on the specific institution, its category, etc.

An analysis of the given regulations can reveal several shortcomings. According to pt. 28, *the person who does not hold the title of associate university professor or university professor should submit to the National Council for Accreditation and Attestation the documents required to obtain this title after at least one year of having occupied the position as interim. If within four years, the person does not get the title of associate professor or professor, he/she cannot longer be eligible for that position.* This point can be interpreted in many ways: can this person never be eligible again? Or can he/she apply for the position of senior lecturer (and thus associate), and then after a while she may apply again for positions listed in section 28 (and what would this period of time be)? We consider that in such situations, the decision should be up to the Senates, because each person who did not manage to fall within those 5 years had distinct reasons, illness ones or others.

Chapter II, point 10, b) states that *the position of senior lecturer is open to candidates having experience of at least 5 years of teaching in the field of science*, which is wrong since the work in science can only be scientific.

4.3.3. Liberty to Decide on Labour Norming

All personnel categories mentioned above are employed and governed by the university within the legal framework and the job title list. The job title list shall be provided annually and may change during the academic year. Until 1 January 2013, the lists of higher education institution staff was submitted to the Ministry of Education, but at present only to the University Senate and to the Labour Inspectorate. The presentation of staff to the Labour Inspectorate is mandatory for all entities in the Republic of Moldova.

Academic positions and the number of positions are established considering the study plans, study formations, and university norms. Job title lists are developed at the level of departments, chairs, services, and are then verified by the appropriate services, approved

by the university management and coordinated with the Ministry of Education. Personnel structure is a university prerogative and it is not validated by an external quality control agency. At present, there is no regulation that would describe the order of developing the job title list: preparation, establishment, verification, approval, coordination, etc.

The distribution of working time for the teaching staff is achieved according to the following chart:

Table 4.3: *Distribution of working time for the teaching staff*

No	Position	Didactic activity according to the schedule			Individual work with students	Total number of hours (col.5+ col.6)	Research and methodical activity	Total hours per year (col.7+ col.8)
		Hours/ week	Hour/ lectures	Hours/ year				
1	2	3	4	5	6	7	8	9
1	University professor	8-10	4-5	380	220	600	880	1480
2	Associate Professor	10-12	4-5	470	210	680	800	1480
3	Senior Lecturer	12-14	3-4	560	160	720	760	1480
4	University Lecturer, University assistant	14-16	-	640	110	750	730	1480
Didactic staff of certain departments								
5	Foreign languages	-	-	-	-	750	730	1480
6	Physical training	-	-	-	-	800	680	1480
7	Arts and artistic education	-	-	-	-	800	680	1480

4.3.4. Liberty to Decide on the Remuneration System

The remuneration in higher education institutions is performed in accordance with Chapter III of the Labour Code of the Republic of Moldova No. 154-XV of 28.03.2003, Art. 20 - 21 of Remuneration Law no.847-XV of 14.02.2002, Law on the Salary System in the Public Sector no. 355-XVI of 23.12.2005, Government Decree on the conditions of staff payroll in state higher education institutions under financial autonomy, no. 195 of 13.03.2013, Government Decree approving the Regulation on Norming the Work Organization in the National Economy Sectors No. 98 of 02.04.2013, other normative acts/legal acts in force which determine the economic, legal and organizational principles of labour remuneration.

The total salary of employees of higher education institutions for monthly activity, during normal working hours established by law, according to the tasks and duties of the job description, consists of:

a) The fixed part, which in its turn, consist of:

- the main salary;
- the pay increase for work experience (length of service), calculated in percentage to the main salary based on the following sizes:

Work experience	Pay rise size in% according to the main salary
- between 2 and 5 years	- 10
- between 5 and 10 years	- 15
- between 10 and 15 years	- 20
- between 15 and 20 years	- 25
- over 20 years	- 30

- pay rise for scientific degree or for scientific and didactic title which is granted in proportion to the time worked within the limits of the normal daily duration of the working time or didactic loads, and it is not increased for part-time work out of the office hours in the amount of 700 lei for the scientific degree of doctor habilitate and / or for the scientific and didactic title of university professor, and, respectively, 300 lei for the PhD degree and / or the scientific and didactic title of associate professor;
- pay rise for the work performed in adverse conditions, as applicable, is determined according to the evaluation results of the jobs and it is applied in the following way: to the workers – for the real duration of the work performed, and to other workers – for permanent employment (for at least 50 percent of the normal daily working time);
- pay rise for honorary title “Artist al Poporului “ and “Maestro in Arts” - 200 lei), and persons with the honorary title ”Emeritus”, “Mester Faur” and “Maestro of Literature” - in the amount of 100 lei;
- pay rise for using foreign languages (except of Russian) in the performance of the position, can be established for employees (excepting interpreters, translators, guides-translators and foreign languages teachers) for speaking foreign languages and their daily application in practice.
- pay rises can be established in the amount of up to 15 percent of the main salary for speaking a foreign language and up to 25 percent for speaking two or more languages;
- pay rise in the amount of 5 percent of the monthly salary of the teaching staff for student groups leadership.

b) The variable part may consist of:

- Pay rise to the main salary for high efficiency in work, labour intensity, and the execution of certain work of particular relevance or urgency, while carrying them out. The pay rises are set for one year and may be reduced or cancelled when the quality of the work gets worse or the labour discipline is broken;
- pay rise for performance;

- pay rise for extending the service area or increasing the volume of work performed;
- supplement for executing additional services to the core work and duties of a worker who is temporary missing;
- supplement for hours worked during the night-time;
- supplement for leading a team;
- Pay rise for complying with the confidentiality clause which can be withdrawn if the targeted employee does not honour his obligation.

The Employees in higher education institutions can benefit from supplement payment for cumulated work. Supplements for cumulating occupations or positions during working hours are established within the economic means of the payroll which consists of tariff salaries or main salaries of dismissed workers. The cumulating supplement payment amount cannot exceed the salary (the salary of the main position) established for the cumulated profession (position). When cumulating the profession or the position by more employees, the supplement payment amount is determined proportionally to the volume of the work executed by each of them, within the tariff wage or salary established for the cumulated profession (position). The cumulated profession list is not limited. The cumulating of functions is not allowed during working hours to administrative and academic staff.

In conclusion we can state that this segment of higher education institutions has a relative autonomy. There is the main salary (position), which cannot be modified (before the entry into force of the GD No. 195 of 13.03.2013 on the Conditions of Staff Payroll in State Higher Education Institutions under Financial Autonomy), but the head of the institution is authorized to establish different pay rises and supplements to the main salaries for certain merits and taking into account the performances of each employee. The institutions are free to adopt their own internal regulations on the payroll system.

4.3.5. Liberty to Decide on the Termination of the Employment Contracts

According to the *Regulation on Filling Academic Positions in Higher Education Institutions*, approved by the Government Decree No. 854 of 21.09.2010, the person who does not pass the contest is released from position in accordance with the legislation in force. In practice, however, the Labour Code, Art. 86 which governs the dismissal as individual contract cancellation at the employer's initiative on indefinite duration, as well as on limited duration, sets specific grounds on which an employee can be dismissed. The given document does not include the reason that the individual employment contract may be ended because the employee has not passed the contest. Invoking as grounds for ending the contract the reason generally referred to in Z) as "for other reasons set out in this Code and other legislative acts" is not applicable in this case. *The Regulation Filling Academic Positions in Higher Education Institutions*, approved by the Government Decree Nor. 854 of 21.09.2010, is a normative act, not a legal one. In this sense, Law No. 780 of 27.12.2001 art. 2 defines that Legislative acts include: the Constitution and constitutional laws, organic laws and ordinary laws, regulations and resolutions that are adopted by Parliament. The above mentioned Regulation is a normative act, according to Law No. 317 of 18.07.2003 on the normative acts of the Government and other bodies of central and local government.

Therefore, when a person does not pass the contest, usually the leader of the institution of higher education concludes an individual contract of limited duration (up to end of the academic year) with the given employee. After that the individual work contract is over because the time limit has expired. This is a neutral reason that suits both sides.

The persons who reach the retirement age continue to exercise their duties until the end of their election term. After this period, the person of retirement age can sign a closed-term employment contract for a period of maximum 5 years, which may be extended later.

Based on the decision of the Senate, the people of retirement age who hold the title of professor and meet regulations requirements can apply to teaching vacancies for a period of 5 years after retirement. It should be noted that this regulation is not fully consistent, and requires some modifications and additions.

There are really very many gaps, even linguistic, including no further additional acts under which we could apply some norms of the Regulation, which refer to firing the person who was not chosen to fill a vacancy, as was mentioned above; voting procedures, e.g.: 13 members of the Faculty Council, 7 votes “for” and 6 “against”, but the Regulation tells us that we need 50% + 1 vote, de facto only ½ vote was not enough, which in practice can happen only when 8 members will vote for the candidate. We believe that such litigious situations should be detailed in the Regulation.

4.3.6. Conclusion

The universities’ movement towards autonomy is considered a change for the better and in favour of Moldovan higher education system. Expert N. Toderaş identifies the positive consequences of university autonomy:

Aspect	How the university benefits
Legal	<ul style="list-style-type: none"> • The status of legally autonomous entity, functioning according to the non-profit principle; • Institutions authorizing credits.
Managerial (administrative)	<ul style="list-style-type: none"> • Delimitation leadership by field: academic, administrative; • Independence in decision-making; • Election of rectors and university presidents; • Development of instruments for institutional efficiency; • Own way of selecting, motivating and promoting academic staff; • Increased trust and confidence in the sphere of activity; • Creating university consortia; • Creating specialized centres, research units, and services according to the non-profit principle.
Financial	<ul style="list-style-type: none"> • Freedom to manage financial and logistical funds directed from the state budget and extra-budgetary financial resources; • Allocation of financial resources according to needs and priorities; • Development of principles and criteria of financing education and social support for students according to the reality within the university.

Aspect	How the university benefits
Selecting and admitting candidates	<ul style="list-style-type: none"> • The possibility of selecting candidates according to own criteria; • Transparency in admissions and academic promoting/stimulation; • Increased students’ trust in services offered by the higher education institution.
Curricular	<ul style="list-style-type: none"> • Increased academic mobility, internal and external, according to the joint degree scheme; • Simplified mechanism for diversifying forms of study; • Accessing and diversifying finance sources for continuing learning programmes.

The above table shows the main aspects of implementing the university autonomy principle. But the most important aspect of it, according to the expert, is the university management, i.e. the governing bodies in higher education and the development of a general vision for the entire higher education system.

4.4. Interfaces of Human Resources Autonomy and Institutional Autonomy

Introduction

In this chapter we describe the relationship between human resources autonomy and the five interfaces that are part of the institutional autonomy of universities, namely: government – university; university – university staff; university staff – students; university – business; and university – internationalization. We also analyse the impact human resources autonomy has or might have on these interfaces. The emergent framework of these relationships shown in Table 2 will be the centre of the discussion in this Chapter.

4.4.1. Government – University Interface

The state’s most prominent role in labour relations is manifested in the legislative work. Labour laws are divided into: laws governing collective labour relations and laws governing individual employment relationships. In addition, there are provisions concerning labour administration (employment agencies, labour inspection), and the activity and status of professional organizations (unions and patronages).

Labour relations and other directly related relations are governed by the *Constitution of the Republic of Moldova*, which is the fundamental state law which guarantees the freedom to work, the right to work and protection of work, the *Labour Code of the Republic of Moldova* and other legislative and normative acts containing norms of labour law (Parliament decisions, Presidential decrees, Government decrees and orders, provisions relating to employment issued by the Ministry of Labour, Social Protection and Family and by other specialized central authorities, within the powers delegated by the Government, internal

regulations of the unit, collective employment contracts and collective conventions), as well as treaties, agreements, and other international regulations to which the Republic of Moldova subscribes.

The Labour Code of the Republic of Moldova, adopted by the Parliament Law No. 154-XV of 28.03.2003, originally published in the Monitorul Oficial journal of the Republic of Moldova No. 159-162/648 of 29.07.2003, is a mandatory law for all employees and employers operating on the territory of Moldova.

Article 3 of the Labour Code of the Republic of Moldova, adopted by the Parliament Law No. 154-XV of 28.03.2003, published in the Monitorul Oficial journal of the Republic of Moldova No. 159-162/648 of 29.07.2003, states that its provisions are applicable to all employers and employees working in the Republic of Moldova, including those working in Moldovan diplomatic missions abroad.

The employment relations between university and employees are regulated by the employment contract. Effective labour relations between the employee and employer, including those between the higher education institution and employees are initiated by signing an employment contract that sets out the parties' rights and obligations. According to Article 45 of the Labour Code of the Republic Moldova, the employment contract is an agreement between the employee and the employer, by which the employee undertakes to perform work in some specialization, qualification or function, to comply with the internal rules of the unit and the employer is obliged to ensure the working conditions provided by labour laws and to pay wages on time and in full. The contract is negotiated by the employer and employee and is concluded in written form, in two copies, which is recorded in the unit register. The employer and the employee each keep a copy.

In fact, the employment in an institution of higher education does not require certain eligibility criteria based on the age of potential employees. However, we are aware that at present the higher education sector is an "aged" one, which may be explained by not hiring young people.

Case study: In order to apply the principle of continuity, in 2011, the Senate of the State University "Alec Russo" in Balti (SUB) approved the following **specific regulations on the distribution of teaching load for retired academic staff, as required by law:**

- University academic staff with scientific degree and/or scientific-teaching title may be assigned a teaching load of no more than one teaching load in the first five years of scientific-teaching activity.
- Academic staff of retirement age with degrees and/or scientific-teaching title between 5-10 years will be assigned a teaching load of no more than 0.5 units of salary.
- Academic staff who was awarded the honorary title of "Professor Emeritus" will be assigned a teaching load of up to 0.5 teaching load for the entire duration of their activity and after the expiration of 10 years of service after retirement age.
- Academic staff with degrees and / or scientific-teaching title working more than 10 years after retirement age will be assigned a teaching load of no more than 0.25 salaries (priority being given to coordinators of annual, undergraduate, master, and doctorate theses).

- Academic staff who do not hold degrees and / or scientific-teaching title but are authors of scientific papers, textbooks, are holders of honorary titles are allowed to continue teaching after retirement age in the next five years only, having a teaching load of no more than 0.5 salary.

In relation to this we can mention that there is an *Instruction on Determining the Seniority in Educational and Scientific Work* (Annex to Order of the Ministry of Education No. 328 of 27 October 1994), which is already outdated. Point 1 of the Instruction states that “*The present instruction applies to determining the length of service and salary for educational and academic teaching staff in higher education institutions*”. This regulation does not clearly differentiate the teaching activity from the scientific one. Therefore we believe that there is a need for a new instruction which would specify clearly the work in which positions will be considered when calculating the length of teaching and scientific service.

Students are admitted on the basis of the Regulations on the Organisation and Conduct of Admission to Higher Education Institutions, undergraduate degree (first cycle), in the Republic of Moldova, approved by Order of the Ministry of Education no. 475 of 07.06.2012. Under this Regulation each institution develops its own regulations, specific to its field of activity (economics, medicine, etc.).

Admission is open to Moldovan citizens, holders of baccalaureate diploma, diploma of secondary vocational education (college), higher education diploma, bachelor's or an equivalent degree. Foreign citizens and stateless persons may be enrolled under the Law on Education (Article 65) and the Protocol of cooperation between Moldova and the country of origin or individual contracts.

Doctoral and post-doctoral students are admitted to study in basis of the *Regulation on the Organization of Doctoral and Postdoctoral Studies*, approved by Government Decree No. 173 of 18.02.2008 and the Partnership Agreement between the Government and the Academy of Sciences for 2009-2012 (Government Decree No. 402 of 12.06.2012, Monitorul Oficial journal No.126-129/449 of 22.06.2012).

In this context we refer to the problem of those who are full time doctoral students. The institutions where they study require presentation of their labour record, where they write that the individual employment contract is over. Also, the Regulation on Organizing Doctoral and Postdoctoral Studies states that the doctoral student who receives a scholarship has the right to work part-time. According to the Labour Code a part-time job is possible when the employee has another main job. In this case the activity is not remunerated by salary, but only by scholarship. Logically we are in the situation of an inconsistency between the Regulation and the Labour Code.

Doctoral (PhD) admissions are open to Moldovan citizens with bachelor's or master's degree, with a total grade average greater than 8.0 and the grade for the specialization of at least 9.0. Foreign citizens and stateless persons with specialized postgraduate or graduate studies are also free to apply based on interstate agreements and contract basis.

Postdoctoral admissions are open to PhD holders, working in institutions of higher education / research and innovation institutions, have scientific publications, patents containing the pioneering results for science and practice, valuable implementations achieved after

supporting the PhD thesis (different from and superior to it) and that forms at least 2/3 of the results that may be the basis of a thesis to obtain the degree of doctor habilitate.

In the *HR policy autonomy* component of the interface Government – University, we described the persisting current state of affairs. We can therefore conclude that the legal framework of the national higher education system is imperfect and needs modifications and additions. Each aspect and detail should be analysed so as to develop a coherent and comprehensive legal framework.

4.4.2. University – University Staff Interface

In accordance with the Law on Education, Article 48 paragraph 5 – the operation of higher education institutions is governed by the University Charter, adopted by the university Senate. This act expressly regulates the election of governing bodies and their attributions: the Senate, the scientific board, the administration board, the senate office, department boards. The Senate has the decisive role in the institution's governance, having the prerogative to make priority and strategic decisions for the institution. The operational activity is realized by the scientific board, in terms of the activity in the field of education and science, and by the administration board in terms of organizational activity. Department boards are run by department deans and aim to implement solutions for various organizational and educational problems. The rector of the institution is elected by the Senate and is confirmed by a government decision, according to article 18 of the Government Decree No. 112 of 28.02.96 regarding the approval of the Regulation on the Organisation AND Conduct of Contest for the Position of Rector of the Higher Education Institution. The election committee presents a report at the ordinary meeting of the Ministry of Education board regarding the organization, running and result of the contest for filling in the position of rector. The ministry board adopts the decision regarding the result of the contest. If the ministry board decides that the rector was elected in conformity with the requirements of the present Regulations, then the rector is proposed to the Government for approval. Otherwise, a new contest is organized. In this case we have a possibility of interference in the work of the Senate, namely if the Government will not approve an applicant chosen by the Senate. There are situations when the candidate proposed by the university Senate is not supported by the Government, and vice versa. In this case, state governing bodies interfere with the governing of the university, through the stipulation that the rector needs to be approved by a Government decision. The same Regulations state, in article 3, that the vacancy for the position of rector is advertised two months before the expiration of the employment contract deadline of the current rector. In this case, we are compelled to announce the vacancy for a position that is still filled, which contradicts the regulations.

At the faculty level, management is fulfilled by the dean, who is appointed by the rector and chosen from among faculty staff. For this reason, it is common that the appointed dean is a very good specialist in the field of teaching, but less experienced in the field of management. In addition, the provisions of the Government Decree No. 381 of 13.04.2006 "On the Salary Conditions of the Staff of Public Institutions" do not cover the position of dean – the Decree stipulates that employees from the teaching-academic staff fulfilling the

position of dean or vice-dean benefit of salary increase of 25% and 15% of their monthly wage, depending on their didactic function. This way the dean's responsibilities are carried out by an academic staff member, who is engaged in teaching activities and has less time for management.

At the department level, management is carried out by the department chair elected on a competitive basis for a period of 5 years from among department staff. Electing the dean is usually the department staff's prerogative, which are more familiar with the leadership and management abilities and moral and professional standards of the candidate. In this case the university becomes more conservative and less open to change when governing bodies are formed of internal members.

At the level of other administrative subdivisions, the management function is fulfilled by their heads, appointed and hired by the rector, without consulting other employees in the subdivision. In this case there can be situations of conflict between the subdivision head and its employees, if the appointed person does not meet expectations in terms of management skills or moral and professional conduct. According to the provision of the Labour Code, management positions in administrative subdivisions of education institutions are filled for an indefinite period of time, which can be obstructing if an inadequate person has been appointed. Dismissal procedures in this case are strictly regulated by the Labour Code, and the employer is often compelled to forcibly continue the contractual relationship. Because of this legislation, which also covers other administrative/ auxiliary staff, the subdivision manager is unable to select his team, which often creates situations where the manager meets a team that exists for a long time and has out-dated ideas that do not meet the standards.

Case study: The selection of certain **functional subdivision heads from SUARB is regulated by an internal regulation** for the election of these employees, as well as vice-rector, chief accountant, and head of HR and economic planning. Hiring is made on a competitive basis for a specified period, since the Labour Code allows signing an employment contract of limited duration with the chief accountant. This procedure can be applied to other managers: head of HR and economic planning, vice-rector, etc.

The Human Resources departments of higher education institutions represent subdivisions of these institutions, basically having the following obligations: elaborating personnel procedures related to human resource planning based on labour legislation, recruiting and selecting candidates for the job vacancies, hiring and integrating the new employees, evaluating, professional developing, promoting, penalizing, motivating the staff and firing; ensuring labour remuneration through the correct application of the elements of remuneration in accordance with the organizational structure, with the number of approved positions, with the nature, the quality and quantity of the work done within the limits of the work plan; consulting University administration on issues related to application of legislation on staff procedures, labour relations, economic and educational spheres, etc..

Academic positions (professor, associate professor, senior lecturer, university lecturer, assistant professor) are occupied on a competitive basis, based on the Government Decree on approving the Regulation on Filing Academic Positions in Higher Education Institutions, No. 854 of 21.09.2010. Situations of uncertainty with respect to the contest are described in the interface I. Teaching position vacancies are advertised only in national magazines and publica-

tions. For this reason, these positions are applied to by members of the university community. The organization and running of the contest is more of a formality, as they select employees who previously held this position. As a result, the university loses its completeness.

Another problem that exists in educational institutions operating under financial autonomy is the lack of basic indicators for the differentiation of wage. In this case, institutions are free to develop their own indicators, which also create confusion and conditions for providing management's salaries based on personal criteria. If the university establishes and approves well-defined criteria based on employee professionalism, continuous improvement, organizational, functional and personal capacity, it will be possible to promote only the best employees.

Case study: Since 2011, at SUB, the supplement to the salary formerly was extra-budget resources and at the moment financial funds from the study fee was granted according to the individual performance of each employee. It was assigned by each faculty separately, according to the quantity and quality of services provided and the manifested creative spirit in the following types of activities:

- academic / teaching;
- instructional-methodical;
- organizational- methodical;
- investigative and creative;
- educational extracurricular;
- continuous learning;
- economic, for the university (projects, grants, sponsorships, etc.).

All of these activities can be categorized in three components that represent the academic activity, research activity, and activity for the benefit of the academic community.

The next mechanism for awarding wage supplements was used in the following way:

- a committee within the Faculty Council evaluates professors in view of receiving salary supplements (5-7 persons, representatives of all departments of the faculty);
- each academic employee will submit to the evaluation committee a portfolio containing materials with the results of professor's activity for a certain period of time (1-3 years, according to the decision of the Senate);
- the evaluation committee assesses the activity of the academic staff member with a certain score, according to Annexes 1-4 (the staff member can also provide self-assessment scores for each type of activity to simplify the committees work);
- the evaluation of all academic staff members will determine the score obtained by all members of the faculty/department;
- having the monthly supplement fund (the amount of money granted to the faculty) and the total score obtained by the staff of a faculty will determine the cost (value) of a point (by dividing the amount of money paid to the faculty for a month to the number of points of faculty staff);
- the numerical value of a point helps determine the monthly salary supplement for each particular academic staff member (by multiplying the value of a point (in lei) to the number of points obtained by each member).

The obtained results are approved by the Faculty Council and an order is issued on granting pay rise for a year, which is signed by the Rector.

4.4.3. University Staff – Students Interface

In conditions of university autonomy, including financial one, it is extremely important to carry out personnel performance evaluations, based on criteria established in the University and approved by the Senate. This helps increase academic staff members' motivation to provide an adequate quality of teaching (develop new courses, implement advanced learning methods, develop teaching materials, etc.). On the other hand, in order to promote staff in positions of associate professor they need to fulfil certain requirements of the Regulation on Filling Academic Positions, related in particular to the candidate's teaching performance.

Students' evaluations of the course are a very effective method of ensuring teaching quality, which is part of the University's Quality Management System. All universities have their own evaluation questionnaires, including questions that cover: the overall impression from the course, the consistency and logical structure of the course, the degree to which the professor managed to stimulate the intellectual curiosity and capture the attention of students and to facilitate the student's progress in the learning process. Assessment is performed on a scale from 1 to 5. Questionnaires at all universities are anonymous. For example, at SUMPh "Nicolae Testemițanu" the survey takes place before the final exams so as not to influence the objectivity of the responses. Professors, practical works, seminars, internships are evaluated in the same manner.

The learning activity of students, the study goals and competences acquired are tested and assessed during the semester through ongoing assessments and final examinations. The concrete forms of assessment and assessment criteria are set by the departments at the beginning of the school year and are announced to the students. Assessment can take the form of tests, essays, individual papers, case studies, reports. Tests can be in written, oral, and combined.

According to pt.27 of the Regulation on the organization of studies in higher education, "full time studies involve the constant personal participation of the student in all learning activities organized by the higher education institution". On the other hand, pt.129 states that students who have unexcused absences from at least 1/3 of course units in one semester or for a period longer than 5 weeks should be expelled. This shows that attending classes in university is currently mandatory.

With university autonomy, each university has the right to determine rules for attending classes. We specify that those specialties that require the acquisition of practical skills (e.g. medicine, dentistry, etc.) attending classes should be mandatory.

The Regulation on the National Study Credit System provides the distribution of topics for course theses, but not of a mentor (adviser). However it would not be a problem for students to choose their adviser. For example, at SUMPh "Nicolae Testemițanu" students can choose in which department to carry out their thesis, the thesis topic and adviser.

Exam results may be contested. Appeals are determined in pt.88 of the Regulations. Students submit an application to the Dean of the faculty concerned, who appoints a person that, together with the department chair, will examine the complaint pertaining to exam topics or grade. The students can re-take the exam, following which they can receive a higher, the same, or even a lower grade.

Freedom of teaching is a well-known concept applied to academic staff. The concept means that professors are free to choose the form and methods of teaching. At the same time, freedom of teaching is a relative notion, because professors are required to follow the curriculum, the study program and schedule, to assess knowledge in the manner approved by the department, etc.

The freedom to learn begins with choosing the faculty to which the prospective student is applying. In accordance with the Higher Education Framework Plan, approved by the Ministry of Education Order No. 455 of 03.06.2011, p.43 “Every student can make his/her individual learning track out of the units proposed by the curriculum for a university degree”. This is true for the vast majority of universities in Moldova. An exception would be SUMPh “Nicolae Testemițanu” where the educational path is present for each specialty, and clinical disciplines have medico-biological prerequisites. At the same time, the student can choose from a large number of optional courses (about 10% of the total number of courses). Once the student selects his/her optional courses, they become mandatory.

4.4.4. University – Business Interface

Before answering the list of questions, or providing an explanation of circumstances when the “University – Businesses” partnership would exist, it is necessary to note the importance of this relationship to both parties, each with its set of interests, which is mutually beneficial, ensure the successful development of the national economy, the university and, therefore, society. The efficiency of the relationship depends not only on its components, which intellectual potential is undeniable, efficiency is largely determined by the legislative and regulatory framework outside (superior) and inner (lower hierarchical) that the delegation of rights and responsibilities of parties determine the substance, character and type of the relationships within “University – Businesses” partnership.

What is the list of “interests” of the University?

- R&D financing.
- Implementation of the R&D results into live businesses.
- Material infrastructure development for teaching.
- Internships for young professors.
- Internships for students.
- Updating the technical and professional requirements to subject contents that are part of the process in educating young professionals as well as the research topics.

What is the list of “interests” of Businesses?

- Efficiency increase of the national economy components, especially the real sector.
- Provision that young professionals have the needed skills.
- Technology and equipment upgrades for businesses.
- Continuous skill improvement for the employees of businesses.
- Notifying Universities on the potential improvements for the learning processes of young specialists.

The legislative and regulatory frameworks contribute directly to the continuous improvement and efficiency of the research and training of specialists for the national economy by ensuring the University autonomy in decision-making and budget management.

The most important component of the university is the academic staff - namely the famous academic personalities, well positioned in terms of professional knowledge and recognized by the scientific and academic world, determines the level of graduates and universities hierarchical position in academia. It is considered a very prestigious job if well remunerated.

It is also necessary to note that professors, when obtaining scientific degrees, necessarily intersect with the business – the practical implementation of the results of production. Following the first stage of relations “University – Business”, scientific collaboration with business is mutually beneficial because it solves business problems and business representatives obtain scientific degrees.

As a result of economic stagnation, university teaching became less attractive, and as a result, this diminished the percentage of young professors among university staff.

For these reasons, the university cannot cover the study objectives with teaching staff; the practice of many years was the short-term hiring of persons recognized in the business environment. For example TUM departments annually invite 250-300 business specialists to participate in the teaching process. The university invites only recognized personalities from the business world as chairs of committees for defending Bachelor’s theses.

Business representatives’ involvement in the teaching process can produce significant benefits for the university - the content of the teaching process conducted by representatives of the business becomes more attractive as it reflects a practical use.

In joint projects (university-business) didactic-scientific activity of the University with full autonomy will become more attractive and those involved will benefit from:

- use of their intellectual potential and skills improvement;
- university will become better known in the business environment and more attractive for graduating students;
- universities will benefit from additional financial support, which will develop and enhance the teaching staff and research;
- the development and refining of its material basis, of teaching and research processes;
- Internship position for students.

There are no current legislative and regulatory limitations to invite business specialists in teaching. Technical University of Moldova annually invites 250-300 specialists from the business environment.

University departments and employees can initiate cooperation agreements with business representatives, but the cooperation agreement is realized by the department / college / university - components that can represent the university legally. Typically, the initiation is the result of personal relationships between university employees and business managers. Maintaining relationships is achieved through various forms, including participation in the teaching process. University staff, who initiated and is involved in the implementation of activities according to the concluded agreements, take full responsibility by delegation on behalf of the rector for continuing education and international relations.

The vice-rector for continuing education is responsible for:

- The university Centre for Continuing Education.
- The Department of Teachers' Continuing Education.
- The Specialised Centre for Continuing Education in Constructions.
- The Department of International Cooperation.
- The university Centre for Information and Professional Guidance.

Academic staff carrying out teaching activity do not benefit of "university academic staff autonomy" because it is selected by competition, it is hired by individual employment contract and it is guided by the job description in fulfilling tasks. Autonomy of academic staff refers mainly to scientific work. Here, business can provide support to research activity by channelling the outputs directly to the company. The university, faculties, departments and staff do not have the right to initiate spin-off companies.

It is indisputable that the university autonomy in the HR policy grants the university more "degrees of freedom" and, as result, the University is more open to the business environment. At the same time, the Consolidated Education Development Strategy for 2011 - 2015, approved by the Ministry of Education Order No. 849 of 29.11.2010, does not even contain the phrases "autonomous university" or "university autonomy". The Regulation on the Functioning of State Higher Education Institutions under Financial Autonomy, Annex 1 to Government Decree No. 983 of 22.12.2012, only sets mechanisms for budget consolidation and financial management requirements.

Currently there are no national academic staff training and development programmes. At the Technical University of Moldova, by Rector's order No. 385-r of 03.05.2011 "On the implementation of the Ministry of Education Order No.199 of 04.04.2011", 320 professors have attended psycho-pedagogical training (140 hours) in the period 2011 - 2013.

For example, State University A. Russo Balti organized psycho-pedagogical modules, Foreign Languages Courses (all absolutely free of charge) for the employees. The psycho-pedagogical module allows specialists with non-pedagogical training (law, economics, and engineering) to obtain teaching skills. Twenty lectures will benefit from internships mobility under the Erasmus programme in the academic year 2013 -2014.

4.4.5. University - Internationalization Interface

In terms of internationalization, university autonomy in HR policy in Moldova is governed by the provisions of two laws: the Law on Education, as the framework law in matters of education policy, and the Labour Code - framework law in matters of employment. In this regard, Article 63 of the Law on Education stipulates that international cooperation in education is carried out in accordance with the laws of the Republic of Moldova, priority being offered to specialized central authority in the specific field - Ministry of Education – which has the right to establish relationships and bilateral cooperation agreements, participate in projects and international events in the field of education and scientific research. The same law states that the conditions of employment of teaching positions in education, including higher education, is established by the Ministry of Education, presuming that issues of internationalization in staffing matters fall within the jurisdiction of its authority.

On the other hand, the framework law in matters of employment establishes the principle of universality of labour relations in the sense that, as required by Article 2 of the Labour Code, the Code shall govern all the individual and collective labour relations, including those governed by laws and other legal acts. It is important to note that, in terms of the principle of universality, the Code shall apply equally to both employees, who are Moldovan citizens, and foreign citizens or stateless employees, employed under an employment contract, who work for an employer operating in Moldova. Thus, these provisions allow universities in Moldova - in theory - to hire academics from abroad (guest lecturers) under conditions similar to those applicable in the Republic of Moldova. These provisions are developed under the same law through special rules designed to regulate the work performed by teachers - Chapter XI "The work of employees in education and science and innovation organizations". Although not specifically mentioning anything related to academic work, the law states, however, that teaching activity (teaching) allows people with a level of necessary education to work in education, science and innovation organizations. Persons restricted from the teaching activity are those deprived of this right by court decision or the appropriate medical certificate, and persons convicted of certain crimes. Therefore, teachers invited from abroad can benefit from general employment at a university in Moldova.

Compared to other criteria - the legal status of foreign academics - a number of general provisions are applicable and *the Law on the Legal Status of Foreign Citizens and Stateless Persons in the Republic of Moldova No. 275 of 10.11.1994*. Under the provisions of Articles 5, 7 and 8 of the law in question, foreigners have the same rights, freedoms and duties as citizens of the Republic of Moldova, with the exceptions established by law. The same law stipulates that foreign nationals residing in the Republic of Moldova have the right to work in accordance with the law. The only direct prohibition established by law for this category of people - foreigners - is that they cannot be appointed to a position or engaged in activities for which, according to law, citizenship is required. It should be noted that the national legislation on higher education does not contain any such prohibition for academics who are not nationals of the country, unlike other areas, such as, for example, the medical profession which according to *Article 4 of the Law on the Medical Profession No. 264 of 27.10.2005*, may be exercised by any person who meets the cumulative number of conditions, including be a citizen of the Republic of Moldova.

Internationalization issues related to the employment of academics are found in the laws on academic mobility. *Regulation on the Mobility of Students and Academic Staff in Higher Education*, adopted by the Ministry of Education, establish the order of participation of the students, scientists and teachers in *academic mobility* programmes at national and international level and to conduct internships and cultural exchange. The Regulation aims, as the authors mention it, to adapt the national legal education requirements contained in commitments by Moldova on building the European Higher Education Area Bologna principles. Academic mobility of teachers can be organized by different means: inter-university agreements and conventions; mobility projects and programmes of the institutions and international organizations and regional mobility programmes offered by various countries, individual contracts of academics.

The Regulation sets out the objectives for teacher mobility, in addition to teaching itself, covering several aspects: ensuring the exchange of academic, economic, and research experience and the training and retraining of professors, developing new curricula, educational and training programmes, and updating existing ones, developing working partnerships for projects in education, training, research, strengthening cooperation between universities in areas of common interest, promoting the exchange of experiences on teaching methodology and techniques, promoting the image of the university abroad and so on.

According to national regulations, the forms of academic mobility are also different: teaching internships abroad, research internships, linguistic internships, activities for the development and implementation of curriculum development programmes, etc. The Parties' rights, duties, responsibilities, and the duration of academic mobility are established in intergovernmental, inter-ministerial, institutional agreements, as well as international programmes / projects.

As it has been mentioned, academic staff can participate in mobility programmes on the basis of individual employment contracts with foreign universities, supporting their own costs. Universities participating in academic staff exchange must establish, with each individual staff member, the programme for teaching/activity at the university, before the start of the mobility programme.

In the process of identifying and accepting mobility programmes, priority is given to those that meet the objectives and mission of the national university and that will conclude with the development and publication of new academic works, will extend and consolidate the relationship and will develop new cooperation projects. Promoting these priorities should constitute, according to the Regulations, the criteria for selecting university staff that will participate in academic mobility programmes. It is important to note that the participation in mobility programmes is recognized as a step in the development of the academic and managerial career.

Moldovan Universities have developed and adopted the Regulation to meet their needs. Moldova State University adopted in 2007 the *Regulation on Academic Mobility at the State University of Moldova*. It contains, for the most part, text from the Regulation approved by the Ministry of Education, slightly adapted. According to the Regulation, the length of internships is established through bilateral agreements between MSU and other universities. In cases of academic staff exchange SUM will establish with each staff member a teaching programme before the beginning of the mobility programme. Only entitled academic staff can participate in mobility programmes at the SUM. Examining the proposals of mobility, priority is given to mobility programmes that meet the goals and objectives of MSU which are aimed at developing new teaching materials, expanding and strengthening the relationship between faculty and departments, preparing new cooperation projects. The academic staff member is considered to have finished the mobility programme when he/she obtains a certificate issued by the host institution. If the academic staff member has not fully completed the work plan, he/she is required to fully repay the received allocations. MSU Statute specifies that the University has academic autonomy, which manifests itself in different ways, including organizational autonomy. An embodiment of MSU organizational autonomy is the establishment of cooperation

relations with various educational and scientific institutions, centres and organizations outside the Republic of Moldova.

In 2010 the Moldovan Government issued the Decree No. 694 of 04.08.2010 “On the approval of the Contribution (motions) of the Republic of Moldova to the EU Strategy for the Danube Region”. In the priority areas of education, research and innovation, the Government has proposed, among other priority actions, the development of scientific co-operation within joint research programmes, joint participation in European programmes, the development of national and regional projects, exchange of scientific publications, promotion of young scientists with international reputation and innovative potential, etc. In terms of internationalization of university autonomy regarding the academic staff, the Government has proposed the cooperation in academic and professional mobility by continuing, enhancing and expanding academic mobility, encouraging teaching actions as “visiting professors”, the organization of continuous learning activities, postgraduate masters and / or doctoral studies, participation in seminars, conferences, workshops, educational seminars and contests.

Moldova declared its firm intention to join the European Union and become part of the European Higher Education Area, and to actively participate in its establishment and consolidation. In this sense, the first formal step was made on 18-19 September 2003 at the Conference of European Ministers in Berlin, where the Republic of Moldova participated as an observer. By attending this conference, our country has issued a clear message that our education system will join the Bologna Process. On June 2, 2004 the Ministry of Education submitted to the Bologna Process group a letter of intent that confirmed the adherence to the European values and requirements. As part of the Bologna Process, Moldova has subscribed to the promotion of academic mobility of academic staff. In other words, the government acknowledged that the objective to improve the mobility of professors and researchers, as set out in the Bologna Declaration is of utmost importance, confirming its commitment to support the removal of all obstacles to the free movement of professors and researchers.

4.4.6. Conclusion

The laws in force, referring to higher education, ensure the functioning of these institutions in an environment, which favours high institutional and individual performance of employees and students, based on the following principles:

- The principle of labour freedom;
- The principle of academic freedom;
- The principle of consensus and good faith;
- The principle of equality of chances and treatment and elimination of any discrimination;
- The principle of solidarity;
- The principle of transparency (information and mutual consultation);
- The principle of mutual respect both between the institution and the employee, and between the employees; compliance with the authority of the governing, didactic and administrative bodies and respecting the dignity of every employee;

- The principle of freedom of association to defend the human rights and to promote the professional, social, cultural and economic interests;
- The principle of deontology;
- The principle of personal and public responsibility for the quality of the entire didactic, research or administrative activities.

In this respect we consider that the degree of State involvement in regulating the activities of higher education institutions is quite high. However, the majority of the legal norms which regulate labour relations have a general nature, not taking into account the specific character of the activities of higher education institutions. We are aware of the necessity of updating certain laws related to the labour relations within higher education institutions, sometimes being necessary to change some procedures used for a long period of time.

Unfortunately it can be noted that the involvement of businesses in supporting the academic activity, and therefore in increasing university autonomy, is reduced. In reality, the involvement of businesses does not entail academic autonomy, as well as university academic autonomy does not entail the involvement of the business. It should be noted that no representative of the business or academia (Academy of Science institutions) requested participation in the implementation of educational activities. The responsibility to select the 250-300 specialists and discuss with them their involvement in the academic process falls entirely on the academic departments.

Case study 1: In the past, in order to receive admission to the defence of the undergraduate project, the project's draft had to be presented from the outside. Departments had the list of external reviewers - experienced specialists in their respective fields. All submitted undergraduate projects had to undergo necessarily the expertise of these specialists, who were paid for their involvement by the university. 20 years ago this part of the process to defend an undergraduate project was repealed on the grounds that the university did not have sufficient financial resources.

Case study 2: Training specialists in engineering requires a considerable practical component. In the past, students were completing 4-5 internships in enterprises: a study internship after the first year, an operational internship after the second year, a technological internship after the third year, design - after the fourth year, and preparation for the undergraduate project during the fifth year. Since about 20 years ago most businesses switched to requesting payment for offering internships, this important component of the process of training specialists was revoked on the grounds that the university does not have sufficient financial resources. As the university works for the national economy, the economic environment has a considerable influence on the educational programmes of the university. The curricula and course syllabi are coordinated with specialists of the main companies in the related fields and the respective ministries. It is in the interest of the profile departments. For these reasons, the departments maintain relations with alumni that work in those areas. At the same time, internship supervisors from companies express their views on the nature and level of knowledge. Usually, only well-established personalities from relevant business environments are invited as chairperson of state committees for defending undergraduate projects. These persons have the right to make recommendations on the Commission's reports, including those related to educational programmes. The selection and hiring procedure for

academic (teaching) staff is determined by the Regulations on Filling Academic Positions in Higher Education Institutions approved by Government Decree No. 854 of 21.09.2010. This Regulation does not apply to part-time/cumulating staff, because hiring is only for one academic year. Hiring is repeated annually. If the cumulating staff members do not fulfil their functional obligations, they can be dismissed before the deadline indicated in the individual employment contract and will not be hired in the future. This type of hiring allows maintaining the level of academic achievement activities to meet the requirements.

4.5. Conclusion and Next Steps

As a result of this report we can see that there is no autonomy of human resources in higher education institutions of the Republic of Moldova actually. The fact that the Rector is the employer of staff in higher education institutions and makes individual employment contracts does not demonstrate that we have autonomy. After carrying out this study, we conclude the following:

- The legislator established minimum standard conditions regarding the occupation of teaching positions through contest, and the institutions are authorized to adopt additional requirements, often negatively received by the members of the academic community, being considered as an abuse of the employer;
- There is no remuneration for management positions (dean, deputy dean, head of the department) in addition to the academic positions; the existence of certain compensation for additional management work along with the basic teaching position results in poor management performance by the people occupying these positions;
- The organizational culture in higher education institutions is missing (certain hierarchies are not respected);
- There are significant discrepancies between the legislative acts which regulate labour relations in general, and those relating to labour relations in higher education institutions. As a result, by observing the legal norms we are often forced to make absolutely legal decisions, but totally detrimental to the quality;
- The degree of participation of teaching and administrative staff in competitions awarding national and international research projects is low;
- Few employees of higher education institutions master foreign languages;
- There is a lack of certain coherent staff policies for administrative, technical and auxiliary staff;
- Low level of remuneration of the academic staff makes the teacher profession unattractive in the society.

As for the relations of higher education institutions and the business environment, we make the following conclusion: It may be noticed that the business environment, being considered an efficient and important catalyst in ensuring academic autonomy of the university, is actually out of this process. Businesses' support the universities will lead to strengthening university autonomy regarding the academic staff policy; however, this support will be directed towards achieving certain economic benefits for businesses, and, at the same time,

will lead to improving the teaching and material resources. As a result, the university will be not free in using the financial support coming from businesses. If the expected benefits to the business fit the profile of research and the training of specialists in the department / faculty, this financial support will increase university autonomy. In the current conditions, it is the business environment that determines and stimulates university science (training academic staff of the highest category), which takes place at the Technical University today. It is also necessary to note that the degree of influence on research areas is determined by the financial possibilities of the business environment. Currently, the Technical University research opportunities are used by businesses at a rate of 15-20%.

References

Legislative Acts

1. Constitution of the Republic of Moldova of 29.07.1994;
2. Labour Code of the Republic of Moldova, No. 154 of 28.03.2003;
3. Code on Science and Innovation of the Republic of Moldova, No. 259 of 15.07.2004;
4. Law of Education, No. 547 of 21.07.1995;
5. Law on Preventing and Combating Corruption, No. 90 of 25.04.2008;
6. Law on the Legal Status of Foreign Citizens and Stateless Persons in the Republic of Moldova, No. 275 of 10.11.1994;
7. Law on Citizenship of Republic of Moldova, No.1024 of 02.06.2000;
8. Law on legislative acts, No. 780 of 27.12.2001;
9. Law on Normative Acts of the Government and Other Authorities of Central and Local Public Administration, No. 317 of 18.07.2003;
10. Law on the Salary System in the Public Sector, No. 355 of 25.12.2005;
11. Law on Philanthropy and Sponsorship, No. 1420 of 31.10.2002.

Normative Acts

12. Regulation on Filling Academic Positions in Higher Education Institutions, approved by Government Decree No. 854 of 21.09.2010;
13. Government Decree on the Salary Conditions of the Staff of Public Institutions, No. 381 of 13.04.2006;
14. Government Decree on the Conditions of the Staff Payroll in State Higher Education Institutions under Financial Autonomy, No. 195 of 13.03.2013;
15. Government Decree on the Operation of State Higher Education Institutions under Financial Autonomy, No. 983 of 12.22.2012;
16. Regulation on the Organisation and Conduct of the Competition the Position of Rector of Higher Education Institution, approved by Government Decree No. 112 of 28.02.96;
17. Government Decree on approval of Contributions (suggestions) of the Republic of Moldova to the EU Strategy for the Danube Region, No. 4 of 04.08.2010;

18. Government Decree on the Special Means of Organizations Subordinate to the Moldovan Academy of Sciences, No. 724 of June 26, 2006;
19. Regulation on the Activity of the National Council for Continuing Vocational Training, approved by Government Decree No. 1224 of 09.11.2004.

Normative acts approved by the Ministry of Education of the Republic of Moldova and Relevant Ministries

20. Qualification Requirements of Payroll Categories for the Complex Specialties Staff of Budgetary Institutions and Organizations, Ministry of Labour, Social Protection and Family of the Republic of Moldova, Chisinau, 1993;
21. Instruction on the Order of Determining Pedagogical and Scientific Total Length of Service, Ministry of Education of Republic of Moldova, Chisinau, 1994;
22. Regulation on Taking Up Academic and Management Positions and Electing Governing Bodies in Higher Education Institutions in the Republic of Moldova, No. 697 of 04.11.2011;
23. Regulation on the Organization and Conduct of Admission to Higher Education (cycle I) in Higher Education Institutions in Moldova, approved by Order of the Ministry of Education No. 475 of 07.06.2012;
24. Regulation on the Organisation of Studies in Higher Education under the National Study Credit System, approved by Order of the Ministry of Education No. 726 of 20.09.2010.

Internal Normative Acts of the Institutions

25. Codes of Ethics - Moral Codes
26. Internal regulations
27. Statute of Institution - University Charter.

Articles, Monograph, Manuals

28. University Autonomy - Condition of Civilization, Andrei Marga, http://www.ubbcluj.ro/ro/despre/misiune/files/Autonomia_universitara_conditie_a_normalitatii.pdf
29. Pascari, A. and Mihailenco E. (2007), Labour Law, Curriculum, Chisinau.
30. Toderaş, N. (2005) "Status of Higher Education Institutions in the Republic of Moldova in the Vision of Government and Civil Society", Survey/Study, Bucureşti.

Appendixes

Appendix 4.1: Data sources

#	Type	Title
1.	Constitution	Constitution of Republic of Moldova, 29.07.1994.
2.	Code	Labour Code of the Republic of Moldova, No. 154 of 28.03.2003
3.	Code	Code on Science and Innovations of the Republic of Moldova, No. 259 of 15.07.2004
4.	Law	Law on Education, No. 547 of 21.07.1995.
5.	Law	Law on the Salary System in the Public Sector (with subsequent changes) No. 355 of 23.12.2005
6.	Law	Law on Preventing and Combating Corruption No. 90 of 25.04.2008
7.	Law	Law on the Legal Status of Foreign Citizens and Stateless Persons in the Republic of Moldova No. 275 of 10.11.1994
8.	Law	Law of Moldovan Nationality No. 1024 of 02.06.2000
9.	Law	Law on Legislative Acts No. 780 of 27.12.2001
10.	Law	Law on Normative Acts of the Government and Other Authorities of Central and Local Public Administration, No. 317 of 18.07.2003
11.	Law	Law on Philanthropy and Sponsorship No. 1420 of 31.10.2002
12.	Government Decree of Republic of Moldova	Government Decree on the Conditions of the Staff Payroll in State Higher Education Institutions under Financial Autonomy, No. 195 of 13.03.2013
13.	Government Decree of Republic of Moldova	Regulation on Filling Academic Positions in Higher Education Institutions, approved by Government Decree No. 854 of 21.09.2010
14.	Government Decree of Republic of Moldova	Government Decree on the Salary Conditions of the Staff of Public Institutions, (with subsequent changes), No. 381 of 13.04.2006
15.	Government Decree of Republic of Moldova	Government Decree on the Remuneration of Employees of Science/Innovation Public Organisations Financed from the State Budget (with subsequent changes), No.47 of 12.01.2007
16.	Government Decree of Republic of Moldova	Regulation on the Organisation and Conduct of the Competition the Position of Rector of Higher Education Institution, approved by Government Decree No. 112 of 28.02.96
17.	Government Decree of Republic of Moldova	Government Decree on approval of Contributions (suggestions) of the Republic of Moldova to the EU Strategy for the Danube Region, No. 4 of 04.08.2010

#	Type	Title
18.	Government Decree of Republic of Moldova	Government Decree on the Operation of State Higher Education Institutions under Financial Autonomy, No. 983 of 12.22.2012
19.	Government Decree of Republic of Moldova	Government Decree on the Special Means of Organizations Subordinate to the Moldovan Academy of Sciences, No. 724 of June 26, 2006
20.	Government Decree of Republic of Moldova	Regulation on the Activity of the National Council for Continuing Vocational Training, No. 1224 of 09.11.2004
21.	Order of the Ministry of Education	Instruction on the Order of Determining Pedagogical and Scientific Total Length of Service
22.	Order of the Ministry of Education	Regulation on the Organization and Conduct of Admission to Higher Education (cycle I) in Higher Education Institutions in Moldova, approved by Order No. 475 of 07.06.2012
23.	Order of the Ministry of Education	Regulation on the Organization and Conduct of Admission to Higher Education (cycle I) in Higher Education Institutions in Moldova, approved by Order No. 475 of 07.06.2012
24.	Order of the Ministry of Labour, Social Protection and Family	Qualification Requirements of Payroll Categories for the Complex Specialties Staff of Budgetary Institutions and Organizations
25.	Informative Document	Internal Acts of the Higher Education Institutions in the Republic of Moldova (regulations, statutes, codes, etc.).
26.	Informative Document	Governance in the European Higher Education Policies, Structures, Funding and Academic Body (2008), Eurydice
27.	Textbook	Pascari, A. and Mihailenco E. (2007), Labour Law, Curriculum, Chisinau
28.	Monograph	Toderaş, N. (2005), " Status of Higher Education Institutions in the Republic of Moldova in the Vision of Government and Civil Society ", Study, Bucharest
29.	Article	University Autonomy - Condition of Civilization, Andrei Marga
30.	Study	Thomas Estermann & Terhi Nokkala, 2009, UNIVERSITY AUTONOMY IN EUROPE I, ExploRAToRy STUdy, ttp://www.rkrs.si/gradiva/dokumenti/EUA_Autonomy_Report_Final.pdf

Appendix 4.2: Data collection method - Human Resources Autonomy

Part I.

Interface I Government - University	What staff recruitment conditions are set by state? Does the university have the right to recruit and manage their human resources? Is the number and structure of staff approved by the Ministry? The staff structure is university right. Is it validated by an external quality agency? What are the limits of personal freedom of a university lecturer? Would transition to university autonomy eliminate corruption? What are the expected positive consequences of university autonomy?
Interface II Management – University Staff	When university has staffing autonomy it can more flexibly recruit and dismiss staff. When university has staffing autonomy it may promote its staff more effectively, which means staff is more motivated. What are internal rules for personnel management? Are there KPIs based on research and teaching? Does the university have the right to establish the regulations and procedures for the evaluation of the research and teaching activity of its own staff? Is promotion of the teaching staff possible only by contest organized upon the criteria approved by the Senate of the university? Freedom of the university to hire/fire the staff? How would correlate the concepts of «staff schedule» and personal freedom of a university lecturer? Does the university have the right to award academic and scientific titles? Is dismissal of the senior teaching and administrative staff approved only by the Senate of the university?
Interface III University Staff – Students	The effectively promoted staff may be more effecting in organizing studies. Can teaching staff establish student evaluation criteria for exams? Can teaching staff establish the different forms of examination: on-term and final? Is the structure of the student’s formations, number of this and other the university responsibility? How do you understand the freedom to teach and the freedom to learn? What would be the criteria for the assessment of teachers’ lectures by the students? Should class attendance be mandatory in terms of university autonomy? Can students formulate complaints on their examination results? Can students evaluate the teaching staff by a confidential procedure? Do students have the right to choose a mentor for their bachelor/master final paper?

Interface IV University – Businesses	<p>When university has staffing autonomy it may be easier to invite lecturers from business.</p> <p>Can staff initiate cooperation agreements with the business environment?</p> <p>Who is responsible for liaising with the business environment (level within the structure)?</p> <p>What kind of help can offer the local business to provide university's teachers autonomy?</p> <p>Can staff initiate spin-off companies?</p>
Interface V University – Internationaliza- tion	<p>When university has higher staffing autonomy, it can easier hire international staff.</p> <p>Can staff initiate cooperation actions with teachers and teams from abroad?</p> <p>Who is responsible for liaising/establishing contacts with foreign universities?</p> <p>How is it possible to organize staff mobility in terms of university autonomy?</p> <p>What kind of international activities can improve the factor of personal contact between university scientists?</p> <p>Can staff propose to the university Erasmus or other international partnerships based on their previous relations?</p>

Part II.

		Please tick	
117.	Is academic staff formally classed as civil servants?	Yes	No
118.	If no, does the University directly employ academic staff?	Yes	No
119.	Does the University have freedom in relation to determining:	Yes	No
	Salary scales?		
	Salary levels?		
	Additional payments?		
	Promotions?		
120.	Are there national criteria for the selection and recruitment of academic staff?	Yes	No
121.	Is recruitment on the basis of competitive examination?	Yes	No
122.	Is international advertisement a normal element in recruitment?	Yes	No
123.	Is national advertisement a normal element in recruitment?	Yes	No
124.	Is academic staff interviewed before appointment?	Yes	No
125.	Does academic staff have fixed term appointments?	Yes	No
126.	Can academic staff be made redundant?	Yes	No
127.	Can academic staff be dismissed?	Yes	No
128.	Is academic staff subject to regular (at least every two years) appraisal?	Yes	No
129.	Are there institutional programmes of staff training and development?	Yes	No
130.	Are there national programmes for academic staff training and development?	Yes	No

5. EVALUATION OF EXISTING SITUATION OF ACADEMIC AUTONOMY IN MOLDOVA

5.1. Introduction

Purpose

The purpose and objectives of the report refer to the general framework of the project, namely:

- To contribute to the work of permanent structures of government, working in reforming the university governance system.
- To build the capacity for the modernization of universities involved in the project.
- To assess the existing university governance systems, taking into account vulnerabilities and key constraints.
- To study and adopt the relevant solutions and procedures of university governance systems applied at EU universities.
- To develop legislative proposals on university governance and financial autonomy.
- To disseminate the project results and assurance of sustainability and awareness of the role of all stakeholders to ensure the development of a quality education system in Moldova.

Definitions

The type of autonomy covered by the report is academic autonomy. In the Republic of Moldova, “state higher education institutions have university autonomy status” (Law on Education, No. 547 of 21.07.1995, Art.49 par. (1) amended by Parliament Law No. 178 of 11.07.12, MO190-192/14.09.12 Art.644; in force since 01.01.13).

Currently, in the specialized literature and European legislation we often meet the definition of university autonomy, e.g.: University autonomy is “the right of public universities to make their own decisions on the educational process, scientific programmes, appointment and promotion of didactic staff, distribution of funds, etc.” (Dicționar explicativ ilustrat al limbii române (Illustrated Explanatory Dictionary of Romanian language) / Eugenia Dima, Doina Cobeț, Laura Manea: coord.: Eugenia Dima – Ch.: Arc: Gunivas. 2007, page 168 – 2280 pages).

University autonomy is the “right granted by the laws and regulations to higher education institutions to undertake pedagogical measures necessary to achieve superior results in their activity” (Dicționar de termeni pedagogici –Pedagogical Terms Dictionary, Sorin Cristea, Didactica și Pedagogica Publ. House, R.A.-Bucharest, 1998, pages 25-27 – 478 pages).

University autonomy is “the right of the academic community to determine its own mission, institutional strategy, structure, activities, its organization and operation, mate-

rial and human resources management, in strict compliance with legislation and in terms of public accountability”. (Law on National Education, “Monitorul Oficial” journal of Romania, Year 179(XXIII) - No. 18 of 10.01.2011).

Recently, this notion has been also related to higher education institutions in the Republic of Moldova under the new amendments to the Law on Education: under Article 49 of the Law on Education, higher education institutions have the status of university autonomy.

University autonomy is the right of the university community to organize and manage itself (the domains of management, structure and functioning of the institution), to perform its academic freedom without any ideological, political or religious interference, to assume itself a set of competences and duties in accordance with national policies and strategies for higher education and post-university education development (Law on Education, No. 547 of 21.07.1995, Art.49, (1¹) introduced by LP178 of 11.07.12, MO190-192-/14.09.12 art.644; in force since 01.01.13).

Academic autonomy (autonomy of teaching and research) relates to the university’s ability to make decisions on the vision, mission and academic profile, on the introduction or withdrawal of educational programmes, on their structure and content, and on issues such as the admission of students and ways to ensure the quality of programmes and awards. The ability to decide on the areas, scope, aims and methods of research are important subcomponents of academic autonomy (Estermann, Thomas and Terhi Nokkala (2009): “University Autonomy in Europe I” Exploratory Study, European University Association. www.eua.be).

Estermann in the second study on university autonomy, (Estermann Thomas, Terhi Nokkala and Monica Steinell (2011): University Autonomy in Europe II Tableau de Bord, European University Association. www.eua.be), defines academic autonomy with seven quantifiable indicators, namely the ability of the institution to decide on: the total number of students; selecting students; forming cycles of study; choosing the language of education; selecting the quality assurance mechanisms and the provider of these services; designing study programmes’ content. The European University Association defines it as follows: „Academic autonomy refers to a university’s capacity to manage its internal academic affairs independently”. (<http://www.university-autonomy.eu/dimensions/academic/>).

Methodology

To achieve the objectives set out in p. 1.1, we performed a thorough research. There were selected the most important laws and government decisions, orders of the Ministry of Education and regulations approved by the Ministry of Education which refer to the autonomy of the university in general and to the academic autonomy in particular. There were also analysed institutional normative acts of five Moldovan universities (AESM, TUM, SUB, SUMPh, and SAUM). The list of these reference documents is presented in Annex 1. When collecting initial data, the generic methodology was followed, designed by the EUniAM project team (Annex 2).

Report structure

Chapter 2 describes the research methodology used in this study. Chapter 3 presents the results obtained from the analysis of selected sources, and discusses the extent to which the academic autonomy is now manifested and regulated in Moldovan universities. Chapter 4 analyses and interprets these findings in relation to the five interfaces identified. Chapter 5 consists of conclusions and describes the next steps.

5.2. Methodology

Introduction

This chapter describes, in brief, the methodology for collecting relevant information relating to academic autonomy in higher education institutions, the way of presenting the information, the distribution of tasks between “academic autonomy” team members, means of making decisions and drawing conclusions.

Data Collection

2.2.1. The Collection / Selection of Information on Academic Autonomy

Regarding the collection / selection of information, a list of reference documents was made. There were selected and introduced in the list: organic and ordinary laws of the Republic of Moldova; normative acts adopted by the Parliament of the Republic of Moldova; normative acts defined by the ministries (Ministry of Education, Ministry of Finance, Ministry of Labour, Social Protection and Family, Ministry of Health etc.); institutional normative acts developed by universities based on ministerial normative acts and adapted to the particular conditions of the institution. As a basis, there were selected project partner universities, which are among the best in the country, are different in size, subordination and the field they cover.

In the list of reference sources there were also introduced several relevant thematic studies.

The reading of these sources allowed the selection of basic information on academic autonomy in Moldovan higher education institutions.

There were reviewed and analysed a number of 50 documents. The list of revised data is presented in Annex 1. Electronic copies of the materials analysed in Annex 1 are available on the project intranet: <http://euniam-moodle.samf.aau.dk/>.

2.2.2. Distribution of Responsibilities among Members of the “Academic Autonomy” Team

At the plenary session of the “academic autonomy” team, which took place on 13.03.2013, it was decided to work in subgroups of two people; each member of the subgroup has had the responsibility for collection / selection and analysis of information on 1 or 2 of the five interfaces that define university academic autonomy, as follows:

Chapter 1. Introduction

Defining the concept of university autonomy and academic autonomy. Defining the list of references (responsible persons: Todos P., Guvir S.)

Chapter 2. Methodology (responsible persons: Todos P., Guvir S.)

Chapter 3. Understanding Academic Autonomy (responsible persons: Todos P., Guvir S.)

Chapter 4. Interfaces of academic autonomy:

- Todos P. and Solcan A. were responsible for Interface I (Government - University).
- Chiciuc A., Prițcan V. and Balanici A were responsible for Interface II (University Management – University Staff).
- Todos P. and Zacon E. were responsible for Interface III (University Staff - Students).
- Prițcan V., Șaptefrați L. and Negara C. were responsible for Interface IV (University – Business).
- Șaptefrați L. and Prițcan V. were responsible for Interface V (University - Internationalization).

Data Analysis

Each team member participated in the selection of relevant information for at least two of the five interfaces. The distribution in subgroups was made democratically, and each person in the group has identified and selected interfaces which are better known by him/her, depending on the activities that they are directly involved day-to-day in the university they represent (see, also, p. 2.2.2.).

Differences in the information experienced by the academic autonomy team members were resolved during subsequent discussions / debates and often additional sources of information were used, and by consulting with their colleagues, as well.

We chose the most eloquent case studies to illustrate some situations, which without giving examples could be misinterpreted or would appear declarative.

The members of „academic autonomy” team revised primarily the identified external (laws, government and ministerial acts) and internal (university) documents (see Annex 1) in order to analyse the properties and indicators of academic autonomy implicitly incorporated in these documents. In the process of this analysis, basic criteria / sub-criteria and the most important indicators of academic autonomy as ascertained by Estermann and Nokkala (2009, 2011) were defined and explained in the generic project of the methodology. By means of brainstorming, during the analysis phase, this list was also extended (Table 1).

Table 5.1: *Understanding of Academic Autonomy in the Republic of Moldova*

Properties / indicators	Source (title and quote source)	Comments / Description
1. Establishment of specializations / study programmes Introduction of study programmes for cycle I	Law on Education, No. 547 of 21.07.1995, with subsequent amendments of 2005, 2013; Law on Education, No. 547 of 21.07.1995, art. 27; Law on the approval of the Nomenclature of Fields of Professional Education and Specialties of Personnel Training in Higher Education Institutions, cycle I, No. 142 of 07.07.2005;	The Law on Education establishes general rules for the organization of education in Moldova The Nomenclature establishes the general areas of study and programmes of study (specialties) allowed for higher education, cycle I. The duration of studies and the title/degree awarded are determined.
Introduction of study programmes for cycle II	Law on Education, No. 547 of 21.07.1995, art. 28; Regulation on the Organisation of Higher Education Master Studies, cycle II, Government Decree, No.1455 of 24.12.2007;	The Regulation lays down the general rules for the organization of master programmes, duration and titles conferred.
Introduction of study programmes for cycle III	Law on Education, No. 547 of 21.07.1995, art.30; Regulation on the Organization and Conduct of Doctoral and Postdoctoral Studies (Government Decree, No. 173 of 18.02.2008); Nomenclature of Scientific Specialties. Approved by Government Decree, No.199 of 13.03.2013. (Published in Monitorul Oficial journal, No. 60-63 (4378-4381) pag.32);	The Regulation lays down the general rules for the organization of doctoral studies. The scientific specialties for doctoral programmes are classified in the Nomenclature.
Termination of study programmes	Law on Education, No. 547 of 21.07.1995, art.37.2 (9,10.11);	The university terminates study programmes on its own initiative or by decision of the Ministry of Education in the case of non-accreditation.
Language of instruction	Law on Education, No. 547 of 21.07.1995, art.8; Regulation on the Study of Foreign Citizens in Educational Institutions of the Republic of Moldova. Approved by Government Decree, No. 746 of 21.06.2003; Charter of the Public Institution State University of Medicine and Pharmacy “Nicolae Testemițanu” (with subsequent amendments and completions), approved at the Senate Assembly of 28.12.2012;	The Regulation lays down the general rules for admission and organization of specific studies for foreign students. This is an example of internal normative act where general rules are reflected.

Properties / indicators	Source (title and quote source)	Comments / Description
2. Admission to studies	Law on Education, No. 547-Xiii of 21.07.1995 (with subsequent amendments), art.27,28,29;	The state determines the number of budget scholarships and the maximum number of study places, on tuition fees basis, allowed for admission for each programme of study. The distribution among universities is determined by negotiations with the Ministry of Education.
The quota of admission of local students with stipends from the Government / with tuition fee payment	Order of the Ministry of Education on the Enrolment Quotas in Higher Education Institutions (No. 614 of 12.06.2013);	
Procedures for admission to Cycle I - Bachelor (study documents, level of grades, procedures)	Regulation on the Organization and Conduct of Admission to Higher Education in the Republic of Moldova, (approved by Order of the Ministry of Education no. 475 of 07.06.2012) (with subsequent amendments);	The Regulation lays down the general rules, universities define, through their own regulations, their requirements for admission to each programme of study by cycles.
Procedures for admission to Cycle II – Master	Regulation on the Organisation of Higher Education Master Studies, cycle II, Government Decree, No.1455 of 24.12.2007;	Admission requirements, the terms and the organization of entrance examinations are defined.
Procedures for admission to doctoral studies / PhD	Law on Education, No. 547 of 21.07.1995, art.30(2); Regulation on the Organization and Conduct of Doctoral and Postdoctoral Studies (Government Decree, No. 173 of 18.02.2008);	Admission requirements, the terms and the organization of entrance examinations to doctoral studies are defined.
Admission of foreign students, admission quota of students, admission procedures	Law on Education, No. 547-Xiii of 21.07.1995 (with subsequent modifications), art.65; Law on the Status of Foreigners in the Republic of Moldova, No. 200 of 16.07.2010; Regulation on the Study of Foreign Nationals in Educational Institutions of the Republic of Moldova (approved by Government Decree, No. 746 of 21.06.2003); Order of the Ministry of Education on the Enrolment Quotas for Foreign Nationals (Inter-Governmental Agreements), no. 614 of 12.06.2013, art. 21, 22, 23, 24; Regulation on Issuing Invitations for the Foreign Nationals and Stateless Persons (approved by Government Decree, No. 33 of 22.01.2004); Regulation on the Organization and Conduct of Admission to Higher Education in the Republic of Moldova, (approved by Order of the Ministry of Education no. 475 of 07.06.2012), art.75, 76;	Here you have to distinguish between foreign students who come under agreements and the category of students coming on their own initiative. In the first case the selection is made by the country of origin, in the second case - the host university is free to formulate the admission requirements, but the procedure for obtaining a residence visa is much more complicated.

Properties / indicators	Source (title and quote source)	Comments / Description
3. Recognition of studies	Law on Education, No. 547-Xiii of 21.07.1995 (with subsequent modifications);	
Academic mobility of students	Law on Education, No. 547-Xiii of 21.07.1995 (with subsequent modifications), art. 64; Regulation on the Organization of Studies in Higher Education under the National Study Credit System (Annex to the Order of the Ministry of education, No. 726 of September 2010); Regulation on Certain Measures for the Implementation of the “Agreement on University Study Exchange Programmes in Central Europe (CEEPUS III)” in the Republic of Moldova, signed at Budva on March 25, 2010, (approved by Government Decree No. 454 of 25.06.2012);	The Regulation defines the structure of the credit transfer system for higher education in Moldova and its implementation rules, which are adapted by universities to the specifics of each programme of study. The practice of organizing student mobility is very modest in the Republic of Moldova. Currently, Universities are in the phase of gaining experience in this field.
Recognition of study periods abroad at Bachelor, Master, and Doctoral level	Regulation on the Organization of Studies in Higher Education under the National Study Credit System (Annex to the Order of the Ministry of education, No. 726 of September 2010); Regulation on the Organization of Studies at TUM under the National Study Credit System (Order of the Rector No. 242-r of 05.04.2011); Regulation on the Recognition and Equivalence of documents of High Scientific and Scientific-Didactic Quality Obtained Abroad (approved by Government Decree No. 472 of 06.05.2004);	Recognition of study periods abroad, cycle I or II, falls within the competence of the university the student belongs to. Recognition procedures are set by each university based on the general requirements set by the Ministry of Education.
Recognition of documents of studies abroad at Bachelor, Master, Doctoral level (recognition bodies, procedures, conditions)	Republic of Moldova. Department of Information and Recognition of Qualifications. Regulation on the Recognition, Equivalence and Authentication of Diplomas and Qualifications, http://www.edu.md/ro/ ;	The study documents issued abroad are recognized by the Ministry of Education. Doctor and doctor habilitate diplomas obtained abroad are nostrificated by the National Council for Accreditation and Attestation (NCAA).

Properties / indicators	Source (title and quote source)	Comments / Description
4. Quality assurance, accreditation of study programmes	Law on Education, No. 547-Xiii of 21.07.1995 (with subsequent modifications), art.37;	Institutional quality assurance structures are established in all universities of the consortium.
Internal quality assurance structures, students' involvement	Law on Education, No. 547-Xiii of 21.07.1995 (with subsequent modifications), art.37 (3); „Moldova 2020” National Development Strategy: Seven solutions for the country's economic growth and poverty reduction, (approved by Law No. 166 of 11.07.2012); Regulation on the Quality Management System at the Technical University of Moldova, http://www.utm.md/ro/acte-normative-interne/ ;	Quality assurance procedures differ from one university to another in the absence of general requirements approved at ministerial level.
Methodology, evaluation criteria, procedures (self-evaluation, external evaluation)	Law on Education, No. 547-Xiii of 21.07.1995 (with subsequent modifications), art.37.1, 37.2; Recommendation (No. 1762 of 30.06.2006) of the Parliamentary Assembly of the Council of Europe on Academic Freedom and University Autonomy; Criteria, indicators and assessment procedures for higher education study programmes: cycle I – Bachelor studies, cycle II - Master studies. 2009, http://www.utm.md/ro/acte-normative-interne/ ;	General methodology, internal and external criteria provided by law are already outdated, universities have developed their own internal assessment methodology and criteria.
Freedom in the choice of external quality assessment body	Law on the approval of the Regulation on the Evaluation and Accreditation of Educational Institutions, No. 423 of 04.06.1999;	Currently, the National Agency for Quality Assurance is in the process of establishment.
Relations of cooperation between the accreditation body and the Ministry of Education in the accreditation process	Law on Education, No. 547-Xiii of 21.07.1995 (with subsequent modifications), art.37.2 (11), 37.3(4);	The conduct of external evaluation of study programmes is provided by the Agency but the accreditation decision will be made by the Ministry of Education.

Properties / indicators	Source (title and quote source)	Comments / Description
<p>5. The National Qualifications Framework (NQF)</p> <p>How NQF requirements are reflected in the study programmes (internal control procedures, external evaluation)?</p> <p>Educational standards (how are they related to NQF)</p>	<p>National Qualifications Framework – Higher Education, http://www.edu.md/ro/cadrul-na-ional-al-calificarilor/;</p> <p>Regulation on the Organization of Studies in Higher Education under the National Study Credit System (Annex to the Order of the Ministry of education, No. 726 of September 2010);</p> <p>Law on Education, No. 547-Xiii of 21.07.1995 (with subsequent modifications), art.7;</p>	<p>The Ministry of Education is responsible for the National Qualifications Framework. Separate structures are not created. Higher Education Division of the Ministry is responsible for higher education qualifications. Qualifications Framework on areas of higher education studies was developed with the help of universities.</p> <p>The qualifications framework on study fields of higher education is used as educational standards in developing and improving new programmes of study and their internal and external evaluation.</p>
<p>6. Employment</p> <p>Differentiation of occupations per education levels. Place of Master's and Doctorate levels</p>	<p>Law on Education, No. 547-Xiii of 21.07.1995 (with subsequent modifications);</p> <p>Classification of Occupations in the Republic of Moldova, Moldovastandard, 2001;</p> <p>Government Decree on the Structure of the Classification of Occupations in the Republic of Moldova, Nr. 461 of 02.07.2013, Monitorul Oficial journal, No.141-144/550 of 05.07.2013</p> <p>Government Decree on the Job Placement of Graduates of State Higher Education and Specialized Education Institutions, No. 923 of 04.09.2001 (Published in Monitorul Oficial journal, No. 108-109 of 06.09.2001, art. Nr. 972;</p> <p>Regulation on the Organization and Functioning of the Centre for Entrepreneurship Support and Management (CESM), TUM Senate Decision, No. 5 of 25.01.2011;</p> <p>Regulation on the Centre for Information and Professional Orientation of Students (CENIOP), TUM;</p>	<p>The classifier of occupations includes a general description of specialties used in Moldova, their classification by domains, but it does not define the level of education or the level of competences necessary to practice the specialty.</p> <p>The difference between the level of competences acquired through undergraduate, master and doctoral programmes is not reflected in any way in the Classifier.</p> <p>To support students in finding jobs, universities, on own initiative, create centres for career counselling and career guidance.</p>

Properties / indicators	Source (title and quote source)	Comments / Description
7. The content and realization of study programmes, organization of the study process Designing the content, allocation among academic structures	Law on Education, No. 547-Xiii of 21.07.1995 (with subsequent modifications); Regulation on the Organization of Studies in Higher Education under the National Study Credit System (Order of the Ministry of education, No. 726 of September 2010); Higher Education Framework Plan (approved by Order of the Ministry of Education, No. 455 of 03.06.2011; Institutional Regulations on the Organization of Student Learning Evaluation, TUM Senate Decision of 07.12.2011, Order No. 1032-r;	The process of studies is organized according to institutional Regulations developed under the general provisions of the Framework Regulation, approved by the Ministry of Education. All stages of the study process, from admission up to graduation, are laid down in the regulation.
Internships	Higher Education Framework Plan (approved by Order of the Ministry of Education, No. 455 of 03.06.2011, art.52-54; Framework Regulation on Higher Education Internships (cycle I – Bachelor studies, cycle II – Master studies), 2013; Regulation on the Organization and Conduct of TUM Students' Internships, 2010, http://www.utm.md/ro/acte-normative-interne/	The Framework Plan establishes the compulsoriness of internships within study programmes and their relative length for each education cycles. Institutions are autonomous to define the distribution by year of study, the content and duration of the internships.
Final evaluation (exams, theses) by cycles	Framework Regulation on the Organization of Higher Education Graduation Examination for Bachelor Degree (Annex to the Order of the Ministry of Education and Youth, No. 84 of 15.02.2008; Guidelines on Developing and Defending the Bachelor Degree Thesis / Project, 2010; Guidelines on Developing and Defending the Master Degree Thesis, 2010; STANDARD. Bachelor Degree Examination. Knowledge Assessment Criteria (approved by TUM Methodical Council), 2010	The Framework Regulation establishes the undergraduate exam structure, general admission and organization rules. Institutions, starting from the peculiarities of their general field of study, establish by regulations, standards and guidelines the way to support the theoretical component of the examination, development and public defence of the undergraduate thesis / project. The procedures for developing and defending the master's thesis are defined by internal regulations.

Properties / indicators	Source (title and quote source)	Comments / Description
<p>8. Teachers' workload</p> <p>Planning the didactic workload</p> <p>Distribution of the didactic workload</p> <p>Accounting the fulfilment of teaching and research workload</p>	<p>Labour Code of the Republic of Moldova, No. 154 of 2003 (Published in Monitorul Oficial journal, No. 159-162 of 29.07.2003, art. 296-298;</p> <p>Order of the Ministry of Education on the approval of the Model of Working Time Rules for Calculating the Didactic Workload Volume, No. 175 of 20.05.1996;</p> <p>Order of the TUM Rector on the Distribution of the Didactic Workload</p> <p>Order of the Rector on the Working Time Rules for Calculating the Didactic Workload Volume of the TUM Academic Staff, No. 374-r of 01.07.2008;</p>	<p>The Labour Code defines a working week of 36 hours and an annual leave of 63 days for teachers in higher education.</p> <p>Starting from the general recommendations set out by the Ministerial order, institutions have developed their own methodologies of calculation and distribution of the didactic workload among departments/chairs and teachers of the department/chair.</p>
<p>9. University scientific research (organization)</p> <p>University structures involved in the organization of scientific research</p> <p>Student involvement in the process of scientific research (incentive mechanisms / incentives for parties)</p> <p>Scientific research of teachers (planning and control of achievements, the methodology of assessing the value of research), Research Master</p>	<p>Law on Education, No. 547-Xiii of 21.07.1995 (with subsequent modifications), art.32;</p> <p>Code on Science and Innovations of the Republic of Moldova, No. 259-XV of 15.07.2004 (Published in the Monitorul Oficial journal No. 125-129 of 30.07.2004, art. No. 663;</p>	<p>Scientific research is considered by law as one of the core activities of higher education institutions and their teachers.</p> <p>Basic rules for the organization of scientific research, including research in the universities, are formulated in the Code on Science and Innovations.</p> <p>Annual didactic workload of the teacher is up to 50% of the full workload depending on the position held. But the accounting of fulfilling this task is carried out inefficiently, for various reasons.</p>

Properties / indicators	Source (title and quote source)	Comments / Description
10. The doctorate	Law on Education, No. 547-Xiii of 21.07.1995 (with subsequent modifications), art. 30, 31;	By 2014, the doctorate was regarded as postgraduate education that was organised according to the rules defined by the Regulation nominated, under severe control of the Moldova Academy of Sciences.
Types of doctorates	Regulation on the Organization and Conduct of Doctoral and Postdoctoral Studies (Government Decree, No. 173 of 18.02.2008);	The rules for developing and defending PhD thesis are determined by the National Council for Accreditation and Attestation. On the insistence of universities, there have already been introduced changes to the Law on Education by which the doctorate is considered the third cycle of higher education and the doctoral schools - a way of their organization.
Doctoral Schools	Guide on Writing Doctoral Thesis and Abstracts (approved by Attestation Committee of the National Council for Accreditation and Attestation - NCAA), No. AT03/1-1 of 23.04.2009;	
Post doctorate, habilitate	Regulation on the Organization and Functioning of Doctoral School of Engineering at TUM (Approved by the TUM Senate Decision on 21.10.2008); Law on Education, No. 547-Xiii of 21.07.1995 (with subsequent modifications), art. 31, Guidelines for Postdocs, Approved by the TUM Senate Decision on 02.04.2014;	

Table 5.2: *Relationship between Academic Autonomy and university interfaces*

Interface	Relationship (incl., quotes)	Impact
Government - University	<p>Law on Education, No. 547-XIII of 21.07.1995 (with subsequent modifications);</p> <p>Regulation on the Organization of Studies in Higher Education under the National Study Credit System (Order of the Ministry of education, No. 726 of September 2010);</p> <p>Regulation on the Organisation of Higher Education Master Studies, cycle II, Government Decree, No.1455 of 24.12.2007 - establishes the basic principles on the organization and conduct of Master studies (cycle II);</p>	<p>The Law on Education determines the state policy in the field of education and regulates the organization and operation of the education system.</p> <p>These Regulations determine the organization and conduct of Bachelor and Master degree studies in public and private institutions of higher education. Specific rules are developed by the institutions which are adapting them to their own strategy.</p>

Interface	Relationship (incl., quotes)	Impact
	<p>Framework Regulation on the Chair of Higher Education Institution (Order No. 671 of 06.08.2010 – stipulates that the Department / Chair of the HEI is a fundamental structural subdivision of the higher education institution.</p> <p>Law on the approval of the Nomenclature of Fields of Professional Education and Specialties of Personnel Training in Higher Education Institutions, cycle I, No. 142 of 07.07.2005;</p> <p>Provisional Framework Plan for Cycle 1 (undergraduate studies), approved by Order of the Ministry of Education, Youth and Sport, No. 202 of 01.07.2005;</p> <p>Regulation on the Organization and Conduct of Admission to Higher Education in the Republic of Moldova, cycle I – Bachelor studies, (approved by Order of the Ministry of Education no. 475 of 07.06.2012);</p> <p>Regulation on the Organisation of Higher Education Master Studies, cycle II, Government Decree, No.1455 of 24.12.2007;</p> <p>„Moldova 2020” National Development Strategy: Seven solutions for the country’s economic growth and poverty reduction, (approved by Law No. 166 of 11.07.2012);</p> <p>Law on the approval of the Regulation on the Evaluation and Accreditation of Educational Institutions, No. 423 of 04.06.1999;</p>	<p>The department / chair operate under the provisions of the legislation in force, the statute, regulations and instructions of the HEI.</p> <p>By this Law it is provided that higher education is organized by areas of training (specialties) in accordance with the nominated Nomenclature, except in areas covered by specific rules in the European Union (e.g. medicine, architecture).</p> <p>Establishes general principles regarding the organization and conduct of the educational process in higher education institutions and reflects the basic requirements for curriculum development in various general areas of study at cycle I for all forms of study.</p> <p>Provides that admission to higher education is carried out on a competitive basis and aims at the selection of candidates based on knowledge and skills criteria for the specialty / area of professional training they are opting for.</p> <p>Establishes the basic principles on the organization and conduct of higher education at cycle II – Master studies.</p> <p>Provides adjustment of the national education system to the labour market requirements in order to enhance labour productivity and increase employment.</p> <p>Regulates the process of assessment and accreditation of public and private educational institutions in Moldova, at all levels. Based on it, educational institutions were externally assessed and accredited at all levels in 1999-2008.</p>

Interface	Relationship (incl., quotes)	Impact
	<p>Regulation on the Recognition, Equivalence and Authentication of Diplomas and Qualifications;</p> <p>Regulation on the Recognition and Equivalence of Documents of High Scientific and Scientific-Didactic Quality obtained abroad (approved by Government Decree No. 472 of 06.05.2004);</p>	<p>This process was stopped until the creation of an autonomous agency for external evaluation.</p> <p>Establishes the procedure for recognition and equivalence of diplomas and qualifications and the procedure for authentication of diplomas and other supporting documents (diploma supplement, study programmes / curricula, continuing education certificates, academic / school situations, grade tables and other documents)</p> <p>Ensures the unitary character of recognition and equivalence of documents of scientific and scientific - didactic high qualification obtained by Moldovan nationals and other persons who reside and / or have a permanent job in Moldova.</p>
Management – University Staff	<p>Labour Code of the Republic of Moldova, Code No. 154 of 28.03.2003;</p> <p>Regulation on the Organization and Conduct of Doctoral and Postdoctoral Studies (Government Decree, No. 173 of 18.02.2008) – is developed in accordance with the provisions of the Code on Science and Innovation of the Republic of Moldova no. 259-XV of 15.07.2004, Law on Education no. 547-XIII of 21.07.1995 and Policy Concept of Scientific and Scientific-Pedagogical Staff Training, approved by Government Decree No. 482 of 23.04.2003;</p>	<p>Regulates all individual and collective labour relations, the control of the implementation of regulations in the field of employment, labour jurisdiction and other relations directly related to labour relations in HEI.</p> <p>Establishes the unitary character of the process of training highly qualified scientific staff and stipulates that in Moldova the training of highly qualified scientific staff is carried out through doctoral and postdoctoral programmes.</p>

Interface	Relationship (incl., quotes)	Impact
University Staff – Students	<p>Law on Education, No. 547-Xiii of 21.07.1995;</p> <p>Regulation on the Organization and Conduct of Admission to Higher Education in the Republic of Moldova, cycle I – Bachelor studies, (approved by Order of the Ministry of Education no. 475 of 07.06.2012);</p> <p>Regulation on the Organisation of Higher Education Master Studies, cycle II, Government Decree, No.1455 of 24.12.2007;</p>	<p>Determines the state policy in the field of education and the organization and operation of the education system; generally defines the obligations and rights of the two basic actors of the educational process - students and teachers.</p> <p>These Regulations provide that admission to higher education is carried out on a competitive basis and aims at the selection of candidates based on knowledge and skills criteria for the specialty / area of training they are opting for; establish the basic principles on the organization and conduct of Bachelor and Master degree studies. Students participate in the governing bodies of the institution (Faculty Council, Senate), where decisions are made on the organization of studies and research. Students have the right to participate in the evaluation of courses and teachers.</p>
University – Business	<p>Regulation on the Operation of State Higher Education Institutions in Conditions of Financial Autonomy, No. 983 of 22.12.2012;</p>	<p>This Regulation determines the right of universities to develop autonomously joint activities with the public and private sector, various cooperation relations in the field of research and innovation with public and private enterprises.</p>
University-Internationalization	<p>Regulation on the Study of Foreign Nationals in Educational Institutions of the Republic of Moldova (approved by Government Decree, No. 746 of 21.06.2003);</p> <p>SUARB Charter, approved at the Senate meeting on 02.01.2013 – provides the internationalization policy of the State University “Alecu Russo” of Balti (SUARB);</p> <p>SUARB Strategic Development Plan for 2013-2018, approved at the Senate meeting on 20.03.2013 - stipulates supporting staff and student mobility in accordance with the European reference framework for higher education mobility;</p>	<p>These normative documents determine how to organize the training of foreigners in the educational institutions of the Republic of Moldova: the requirements for admission to studies, deadlines for submitting applications, responsibilities of educational institutions. Institutions develop their own policies and internationalization strategy, regulations on foreign student recruitment, organization and support of students and teachers mobility, encourage the participation in European and international research projects (see the example of SUARB).</p>

Interface	Relationship (incl., quotes)	Impact
	<p>Regulation on the Payroll of the State University „Alecu Russo” of Bălți, approved at the Senate meeting on 16.02.2011 - stipulates a certain percentage of salary increase for the achievement of various indicators, including mobility;</p> <p>Regulation on Certain Measures for the Implementation of the “Agreement on University Study Exchange Programmes in Central Europe (CEEPUS III)” in the Republic of Moldova, signed at Budva on March 25, 2010, (approved by Government Decree No. 454 of 25.06.2012);</p> <p>Law on the Status of Foreigners in the Republic of Moldova, No. 200 of 16.07.2010;</p> <p>Regulation on Issuing Invitations for the Foreign Nationals and Stateless Persons (approved by Government Decree, No. 33 of 22.01.2004).</p>	<p>Establishes the way and terms of payment of scholarships to students, master students, doctoral students and scholars who come from abroad in Moldova under the Exchange Programme for University Studies in Central Europe (CEEPUS III).</p> <p>The Law regulates entry, stay and exit of foreigners to / from the territory of Moldova, granting and extension of the right to stay, repatriation, their documentation, provides for coercive measures in case of violation of stay regime and the specific measures of immigration records in accordance with Moldova’s obligations under international treaties to which Moldova is a party.</p> <p>The Regulation establishes the way of issuance, by the Migration Department at the request of individuals or legal entities, including public authorities, of invitations for visas for entry and exit to / from the Republic of Moldova of foreign citizens or stateless persons.</p>

The next step after understanding how academic autonomy is exercised and regulated in the Republic of Moldova, was to conduct a cross-case analysis, for example, to analyse the potential impact of academic autonomy on the five interfaces identified, which are part of the institutional autonomy of universities, namely: government - university, university – university staff; university staff - students; university - business and university - internationalization. The potential relationships and the respective impact are shown in Table 2.

Description of Data Interpretation Process

The way in which data were interpreted represents an analysis of the situation seen by universities in Moldova compared to the existing legislative framework in the field of higher education. Weak aspects of this legislative framework are highlighted by explanations and concrete examples that demonstrate their existence. In this regard, to eliminate the observed vulnerabilities, possible solutions are proposed that would improve the current situation in Moldovan higher education.

Conclusion

This chapter represents a brief description of the methodology, how data were collected, analysed and interpreted. The role and contribution of each member of the *academic autonomy* team in achieving project's objectives are also presented. The next chapter provides relevant information on the current situation in terms of academic autonomy in higher education in Moldova.

5.3. Understanding Academic Autonomy

5.3.1. Introduction

In this chapter we intend to analyse and discuss the characteristics and indicators of academic autonomy embedded in the context of higher education in Moldova. Analysing a number of governmental and ministerial documents and internal documents from selected universities (Annex 1), a comprehensive picture - frame was developed - regarding the extent to which academic autonomy is now manifested and regulated in the higher education sector in Moldova (Table 1). The discussion in this chapter will be held around this developing framework and supported by a number of cases (excerpts, quotes from documents) that will exemplify the critical points of the discussion.

Definitions

Academic autonomy of universities in this paper is analysed through the obligations, rights and responsibilities of parties involved regarding the following components of the study process: establishing specializations / programmes of study; developing (designing) curricula and syllabuses; admission to study; organization and conduct of the study process; quality assurance of studies. The regulatory documents, which regulate the relations between the parties, and the regulatory acts, which describe how to perform these regulations, have been determined. Then, strong and weak parts of these documents have been highlighted.

5.3.2. Criterion 1: Establishment of Specializations / Study programmes

Education in the Republic of Moldova can be public and private. Education can be organized as full time education, part time education, and distance learning. The education system is open, ensuring the possibility of switching from one type to another, under the conditions established in the regulation, adopted by the Ministry of Education.

Higher education aims at: a) forming a multilaterally developed and creative personality, training, retraining and requalification of specialists and scientific personnel in various fields at a higher-level of education; b) providing personality aspirations to deepen and expand the studies; c) promoting scientific research and implementation of its results; d) preserving, enriching and imparting scientific, technical, artistic and cultural heritage. Higher education is delivered by higher education institutions: universities, academies and institutes.

Introduction of Study Programmes - Cycle I

After analysing the selected sources, it was found that, in terms of establishing study programmes, responsibilities of the parties are defined by Article 2 of the Law on the approval of the Nomenclature of Fields of Professional Education and Specialties of Personnel Training in Higher Education Institutions, cycle I, No. 142 of 07.07.2005. This Nomenclature aims at ordering the training of specialists with higher education, ensuring the comparability of study programmes, creating conditions for internal and external mobility of students in cycle I. The Nomenclature is developed in accordance with the requirements of UNESCO (ISCED), based on the requirements of the national economy to specialists' training. When it is necessary to introduce new study programmes at the demand of the labour market, universities, jointly with businesses and associations, come with argued proposals, which are analysed by the Ministry of Education, Government and approved by Parliament by law.

Introduction of Study Programmes - Cycle II

For cycle II, there is no framework Nomenclature, universities are free to independently develop master programmes for each area of training or at their interference based on generic and specific competencies prescribed for level 7 of the Qualifications Framework and the Law on Education (Article 28). The Ministry of Education only records the presence of mandatory documents for a master's programme. The authorized programme will be delivered on a provisional basis until its accreditation. Accreditation will be required after the first promotion of graduates from the programme. The share of budget funded study places is limited by educational fields and universities.

Thus, for this sub-criterion there is an extensive autonomy for universities, maybe even an exaggerated one, which in the absence of an appropriate external evaluation often leads to problems of incomparability, limits mobility, and certain problems arise related to the employment of graduates on the labour market. In our opinion it is necessary to develop a general framework for cycle II.

Introduction of Study Programmes - cycle III

Article 26, paragraph (4), of the Law on Education, as amended by LP239 of 18.10.13 (MO297-303/20.12.13 art. 807), declares that doctorate is the third cycle of higher education – doctoral higher education. Fields and specializations for doctoral studies are deter-

mined by the Nomenclature of scientific specialties, approved by Government Decree No. 199 of 13.03.2013, Monitorul Oficial journal, No 60-63 (4378-4381) pag.32; <http://www.cnaa.acad.md/news/2013/02042013/>). Doctoral programmes are introduced at the request of universities. To open a new doctoral programme it is required the justification of capabilities (research in the field, supervisors trained in the field). The share of study places, funded from the state budget and based on tuition fees, is strictly limited per field and universities (decided by the Academy of Sciences).

As well, post-doctoral studies are also organized (Law on Education, article 31) in the Republic of Moldova, which involves the development and public defence of a thesis of a more advanced level in comparison with the doctoral thesis. The postdoctoral programme is customized and defined under the Regulation on the Organization and Conduct of Doctoral and Postdoctoral Studies (art.81-98). Universities are autonomous in determining programmes and selecting candidates for these programmes. The degree awarded, after the successful defending of the thesis, is Doctor Habilitate in the respective field.

Termination of Study Programmes

The termination of study programmes takes place at the initiative of the institution in the absence of candidates or diminution of needs in specialists of the given profile. According to article 37.2 (9, 10, and 11) of the Law on Education the initiator of termination of programmes may be the Ministry of Education, namely:

- When, as a result of the external evaluation, higher education institutions or initial or further professional training programmes conducted by them are not accredited, the Government, at the proposal of the Ministry of Education, can withdraw the right of activity of the institutions or programmes concerned, students being assigned to similar programmes in other institutions.
- When obtaining negative results following the external evaluation of higher education institutions, the Government, at the proposal of the Ministry of Education, can withdraw the right of activity of the institutions or professional training programmes, students being assigned to similar programmes in other institutions, if the reasons which led to the negative results of the evaluation have not been removed within 6 months. The provisions of this paragraph shall also apply to doctoral programmes organized by organizations in the field of research and innovation, and institutions themselves regarding the organization of doctoral studies.

The decision to not accredit or to withdraw the right of activity of a higher education institution or professional training programme shall be adopted by the Government at the proposal of the Ministry of Education, on the basis of the assessment carried out by the National Agency for Quality Assurance in Professional Education.

Language of instruction

According to article (8) of the Law on Education, the State ensures, in accordance with the Constitution and Articles 18, 19 and 20 of the Law on Languages in the Republic of Moldova, the right to choose the language of education and training at all levels and stages of education.

The study of the official language of the Republic of Moldova is mandatory in all educational institutions. Requirements for its teaching and learning are regulated by the state educational standard. It is permitted, under the law, the organization of higher education institutions teaching in a language different from the official one (Law on Education, article 26 paragraph (3)).

Universities are autonomous in organizing academic groups with teaching in English, French and other languages, as needed (see the Charter of the Public Institution State University of Medicine and Pharmacy “Nicolae Testemitanu”).

5.3.3. Criterion 2. Admission to Studies

The quota of admission of local students with stipends from the Government / with tuition fee payment

The Government establishes an annual enrolment plan that includes both budget financed places (for both cycles) and registration quotas on a contractual basis (tuition fee) for cycle I – Bachelor studies. For cycle II – Master studies, the educational institution independently decides on the number of contract based places (tuition fee).

The number of places for enrolment shall be proposed by each higher education institution, based on the capacity of the institution, which subsequently changes to some extent following the analysis carried out by the Ministry of Labour in consultation with the Ministry of Economy, Ministry of Finance and Ministry of Education, depending on the needs of the national economy for specialists in the field.

Procedures for Admission to Cycle I - Bachelor Studies (education documents, level of grades, procedures)

Universities organize admission to studies based on their admission Regulation approved by the University Senate, developed under the provisions of the “Regulation on the Organization and Conduct of Admission to Higher Education in the Republic of Moldova, cycle I – Bachelor studies”, approved by the Order of the Ministry of Education no. 475 of 07.06.2012 with subsequent amendments. Article 48 of the Framework Regulation provides that each state and private higher education institution develops its own competition Regulation on basis of university autonomy, in compliance with the legislation in force and the mentioned Framework Regulation. The developed Regulation, including application forms and tests, are made public via dissemination within the higher education institution and publication on its website until the start of admission (Article 50).

The Regulation of 2013 stipulates the right of candidates to join the competition for admission to many universities and many specialties / areas of professional training within the same higher education institution.

Admission is done on a competitive basis, candidates being selected on the basis of knowledge and skills for the specialization / training field they choose. The admission competition is held in the educational institution per education cycle and specialties / areas depending on the language of instruction, type of education and source of funding, within the limit of registration plans approved each year by the Moldovan government. Universities are autonomous to organize entrance examinations or tests for its study programmes. For

example, TUM introduced the artistic drawing aptitude test for its Architecture and Design educational programmes.

Procedures for Admission to Cycle II - Master

The admission to Cycle II is organized in accordance with the Regulation on the Organisation of Higher Education Master Studies cycle II, approved by Government Decree No. 1455 of 24.12.2007. Admission is organized by fields and specialties based on competition, the basic criteria being the results of entrance examinations.

Procedures for Admission to Doctoral Studies / PhD

The plan for admission to doctoral studies financed from the state budget and on contract basis is drawn up by the Supreme Council for Science and Technological Development (SC-STD) in accordance with the proposals of Moldova Academy of Sciences (ASM) and ministries that have under their subordination institutions which provide doctoral studies, and is approved / advised by the National Council for Accreditation and Attestation (NCAA). The plan for admission to doctoral studies financed from the state budget and on contract basis is approved annually by the Government at the proposal of SCSTD.

Moldovan citizens, holders of master's degree, with an average grade of not less than 8 and the specialty exam grade not less than 9 participate at the admission competition to PhD. To part-time doctoral studies can apply only those working in education institutions or institutions from the field of science and innovation. Admission to PhD is done on competitive basis, under transparent conditions.

Admission of Foreign Students, Admission Quota of Students, Admission Procedures

Foreign citizens and stateless persons, with respective studies/education, are also admitted to bachelor, master and doctoral programmes based on Inter-Governmental Agreements and based on individual contracts (Law on Education, art.65; Order of the Ministry of Education on the Enrolment Quotas for Foreign Nationals (Inter-Governmental Agreements), no. 614 of 12.06.2013, art. 21, 22, 23, 24; Law on the Status of Foreigners in the Republic of Moldova, No. 200 of 16.07.2010).

Entry conditions to studies, the documents required for matriculation, transfer of foreigners from one institution to another are stipulated in the Regulation on the Study of Foreign Nationals in Educational Institutions of the Republic of Moldova (approved by Government Decree, No. 746 of 21.06.2003). Institutions can formulate additional requirements for admission to studies of foreign citizens.

Foreign citizens and stateless persons studying in the Republic of Moldova, except those receiving scholarships from the Moldovan state, pay tuition fees, as established by the Government. Foreign students-graduates, who have acquired entirely the knowledge and skills provided under the educational programmes and passed bachelor or master exams, receive the bachelor or master degree/diploma which, when leaving the country, shall be certified / legalized under the legislation in force of the Republic of Moldova.

Educational institutions that invite foreigners to study have the following responsibilities: proper completion of documents within the terms stipulated by the legislation in force governing the invitation and legalization of stay in the Republic of Moldova of foreign citizens; qualitative organization of the didactic process; monitoring activities

outside the classroom activities of foreigners; informing the Ministry of Education and the competent authority for foreigners about actions with ideological, religious character, that contravene the law, carried out by foreigners on the territory of the Republic of Moldova, and taking attitudes against them; submission of annual reports by January 1, on the instruction of foreigners in accordance with the standard model approved by the Ministry of Education.

5.3.4. Criterion 3: Recognition of Studies

Academic Mobility of Students

The Law on Education, no. 547-XIII of 21.07.1995 art. 64, states that Moldovan citizens have the right to study abroad on the basis of interstate and intergovernmental or inter-ministerial cooperation agreements and on the basis of individual contracts with foreign educational institutions, and by education credit transfer system. Moldovan citizens, graduates of foreign educational institutions, enjoy equal rights at the employment, as graduates of educational institutions of the same level in Moldova.

Foreign citizens and stateless persons can be admitted to educational institutions in Moldova under: international conventions to which the Republic of Moldova is part; interstate, intergovernmental and inter-ministerial agreements and authorized agreements between educational institutions; individual contracts concluded with educational institutions; inter-university academic mobility agreements.

Students, Moldovan citizens, have the right to be involved and participate in compact mobility programmes at national and international level to complete the training process according to the chosen educational path. Mobility is organized by the higher education institution in accordance with the Regulation on the mobility of students and teachers in higher education institutions no. 64 of 16.07.2009 approved by the Decision the Ministry Council. Mobility of students is allowed between institutions and within educational institution between related fields / specialties / specializations in compliance with specific regulations existing at the institutional level, without affecting the study formations. At Cycle I – Bachelor, mobility can be organized starting with the second year of study, except for final year of study.

Recognition of Study Periods Abroad at Bachelor, Master, and Doctoral levels

The Regulation on the Organization of Studies in Higher Education under the National Study Credit System (Annex to the Order of the Ministry of education, No. 726 of September 2010, art. 140, 141) states that: the agreements between partner universities (faculties) guarantee the recognition of periods of studies and credit transfer for attended course units / modules. Recognition of study periods regards its duration and content. The period of studies in another institution replaces, through recognition, a period of study with the duration and workload (measured in credits) similar to that which the student would have achieved in a home university. The courses stipulated in the mobility contract may be equivalent to courses in the curriculum of the home institution which can be assimilated in the same field of professional training / specialties acceptable as an alternative to existing courses.

ECTS credit transfer, recognition, equivalence and documentation of performances achieved by the student during the period of mobility is done by means of the extract from ECTS academic transcript reflecting quantitatively and qualitatively the work done by the student. The student is required not to negotiate the acceptance / recognition / equivalence with teachers individually.

Credits for prior attended course units / modules, similar to the expected educational outcomes, content, possibly, name and extension (number of hours in the curriculum) are automatically matched both in mobility programmes and student transfer from one higher education institution to another. The graduation exam cannot be matched through mobility.

The acceptance of students visitors for a limited period of time (usually one semester), based on inter-university contracts, imply the ad hoc recognition of previous studies.

Recognition of Documents of Studies Abroad at Bachelor, Master, Doctoral Level (recognition bodies, procedures, conditions)

The Regulation on the Recognition, Equivalence and Authentication of Diplomas and Qualifications (<http://www.edu.md/ro/>), approved by the Ministry of Education, 2011, establishes the procedure for recognition and equivalence of graduation documents and qualifications and the procedure for authentication of graduation documents and other supporting documents (diploma supplement programmes / educational plans, continuing education certificates, academic / school situations, grades and other documents). The recognition, equivalence and authentication procedure of graduation documents and qualifications, as well as other supporting documents is made based on: the national legislation; Convention on the Recognition of Qualifications concerning Higher Education in the European Region, adopted in Lisbon on 11.04.1997; Hague Convention, adopted on 05.10.1961; Common Charter ENIC / NARIC of activities and services of 09.06.2004; EC recommendations, EC and UNESCO-CEPES in the field of recognition; bilateral and multilateral agreements on mutual recognition of graduation documents, signed by the Republic of Moldova and other countries.

The procedure for recognition of graduation documents and qualifications obtained in higher education institutions will be based on a high degree of confidence / reliability in the quality of studies conducted in European higher education institutions. In order to implement the procedure of recognition / equivalence of graduation documents and qualifications in higher education, it is necessary that the studies carried out by the applicant are consistent with the programmes of study or academic / professional qualifications in Moldova concerning: the status of issuing HEI; diploma level; number of years of study / number of credits; the general field of professional training; specialty / specialization; curriculum / individual workload / number of ECTS / Diploma Supplement; professional qualifications.

Higher education documents, issued in countries that are signatories of the Lisbon Convention, are automatically recognized under the conditions when there are no considerable differences in the duration and programme of studies, education outcomes and skills compared with similar study programmes in Moldova.

Recognition of qualifications, in order to be employed on the labour market for non-regulated professions, is done by the Ministry of Education, in accordance with national and international legislation in the field (art. 21). Professional qualifications giving access

to regulated professions of doctor, pharmacist, dentist, veterinarian, architect and specialties in the art and military fields, and those related to national security are recognized by the competent authorities or professional organizations in Moldova as required by law.

5.3.5. Criterion 4: Quality Assurance, Accreditation of Study Programmes

Quality assurance of studies expresses the capacity of higher education institution to offer programmes of study in accordance with the standards announced. According to Article 11 of the Recommendation (no. 1762 of 30.06.2006) of the Parliamentary Assembly of the Council on Academic Freedom and University Autonomy “accountability, transparency and quality assurance are major conditions offered to academic freedom and university autonomy”. In the declaration of the Berlin summit (2005) of the Ministers of Bologna signatory countries it is noted that quality assurance of studies lies totally on the competence of each educational institution.

Thus, in the Republic of Moldova having the status of university autonomy does not presuppose providing the right to the university to provide educational services without meeting the educational standards.

An important role in the assessment and accreditation of institutions and programmes of training / professional development must revert to the National Agency for Quality Assurance in Professional Education, which is established under art. 37 of the Law on Education recently amended. Despite the fact that “Moldova 2020” National Development Strategy: Seven Solutions for Economic Growth and Poverty Reduction (approved by Law no. 166 of 11.07.2012), the Law on Education and the objectives of the Bologna process provide for establishing the respective Agency, currently there is no such an organization to assess and accredit institutions of higher education in the country. Non-accreditation of higher education institutions and programmes of study calls into question issues that relate to the quality of education, the lack of transparency and credibility of the educational institution for citizens and employers, prevents triggering the process of competition between higher education institutions which could lead to offering study programmes of higher quality, and does not allow redistribution of the budgetary allocations based on performance indicators.

Internal Quality Assurance Structures, Students’ Involvement

Quality management in higher education is insured (*Law on Education, art. 37 par. 3*):

- at national level – by the Ministry of Education and the National Agency for Quality Assurance in Professional Education (currently in process of formation);
- at institutional level – by internal structures for quality assurance.

A fully functional quality assurance system presupposes going through two successive phases:

- authorization for provisory functioning, which represents the founding document and grants the right to carry out the educational process and organize the admission to studies;
- accreditation that also confers, together with the rights set out in point. a), the right to organize the graduation exams and to issue diplomas, certificates and other documents of study recognized by the Ministry of Education.

By the Decision of the Ministry of Education, higher education institutions are required to create their own institutional quality assurance systems. In addition to this provision there were not developed other regulations or guidance on the status, structure, and rules of operation of these subdivisions. In the majority of state universities there were established QA systems, using the experience of universities in Romania and other European countries. Examples of QA systems can be found at Technical University of Moldova (<http://www.utm.md/>), Moldova State University, and Academy of Economic Studies. But there are several universities (especially private ones) which currently do not have such structures which are strictly necessary for quality assurance.

The structure and operation of these systems are governed by the internal normative documents of the institutions (see: Regulation on the Quality Management System of the Technical University of Moldova, Regulation on the Functioning of the Quality Management Committees, etc.).

Methodology, Evaluation Criteria, Procedures (self-evaluation, external evaluation)

Academic evaluation and accreditation criteria, according to the Law on the approval of the Regulation on the Evaluation and Accreditation of Educational Institutions, no. 423 of 06.04.1999 (on the basis of which there have been evaluated and accredited higher education institutions in the Republic of Moldova from 2000 to 2008), cover all areas related to the establishment and operation of educational institutions, including:

- professionalism of teachers,
- content and organization of education,
- students - number of students enrolled per each year of study, forms of education, faculties and specializations, admission procedures, promotion per years of study,
- activity of scientific research in education,
- financial and economic activity,
- technical and material endowment.

The National Agency for Quality Assurance in Professional Education, which is under development, shall develop the evaluation methodology and a new set of criteria, or shall adapt the existing one to current conditions in education, shall develop and implement the National Register of Specialties for which each higher education institution is evaluated and accredited, a practice common in Romania and other European countries.

Freedom in the Choice of External Quality Assessment Body

Article 37.1, paragraph (4), of the Law on Education states that external quality assessment in higher education in Moldova is carried out by the National Agency for Quality Assurance in Professional Education or other quality assurance agency included in the European Quality Assurance Register (EQAR).

Relations of Cooperation of the Accreditation Body with the Ministry of Education in the Accreditation Process

Article 37, paragraph (4) of the Law on Education states that programmes of study or the institution as a whole, to become fully functional, must undergo accreditation in two successive phases: a) authorization for provisory functioning, which represents the

founding document and grants the right to carry out the educational process and organize the admission to studies; b) accreditation that also confers, together with the rights set out in point. a), the right to organize the graduation exams and to issue diplomas, certificates and other documents of study recognized by the Ministry of Education.

External evaluation for provisory functioning authorization or accreditation is triggered and conducted according to the methodology developed by the National Agency for Quality Assurance in Professional Education and shall be approved by the Government.

The decision on the authorization for provisory functioning, accreditation, non-accreditation or withdrawal of the right for activity of a higher education institution or professional training programme shall be adopted by the Government at the proposal of the Ministry of Education, on the basis of the assessment carried out by the National Agency for Quality Assurance in Professional Education.

5.3.6. Criterion 5: The National Qualifications Framework (NQF)

The body responsible for NQF in the country (functions, structure, relations with the Ministry of Education, universities)

At present, the Ministry of Education is responsible for the development and implementation of the National Qualifications Framework (NQF). It is expected an independent body to be set up that will address this area, such as the National Qualifications Authority in Romania (<http://www.anc.edu.ro/>).

The General Framework of Qualifications in Moldova and the National Qualifications Framework in Higher Education by Areas of Training (<http://www.edu.md/ro/cadrul-national-al-calificarilor/>) were approved by the Decision of the Collegium of the Ministry of Education of 26.12.2010.

Moldovan NQF includes 8 levels, of which levels 7, 8 and 9 correspond to the qualifications awarded at the completion of cycles I, II and III of higher education. The General Framework specifies the complexity of activities corresponding to each level of qualification and transversal and professional (specific) competences for the respective qualification levels. Based on the General Framework, Qualifications Framework was developed for the main training areas provided by higher education institutions in the Republic of Moldova (Engineering and engineering activities, Manufacturing and processing technologies, Chemical technology and biotechnology, Architecture and construction, Economics, Tourism, Transport services, Agriculture, Veterinary medicine). But, as stated in Moldova-2020 Development Strategy: professional education (higher, specialized, secondary professional education) currently faces some challenges related to the deficiencies regarding the National Qualifications Framework and occupational standards; study programmes remain highly theorized, the share of practical classes is not sufficient to acquire the necessary professional skills; lack of Quality Assurance Agency which must ensure evaluation and accreditation of the institutions, programmes of training / professional development of specialists for the labour market.

How do Universities Participate in the Development of New Qualifications?

General Qualifications Framework was developed by a joint committee of the Ministry of Education and university representatives. Universities and inter-university teams were fully responsible for the development of the Qualifications Framework for certain fields.

How NQF Requirements Are Reflected in the Study Programmes (internal control procedures, external evaluation)?

The Regulation on the Organization of Studies in Higher Education based on the National Study Credit System (Annex to the Order of the Ministry of Education no. 726 of September 2010), articles 8 and 9, stipulates that the content of the study process is determined by the basic academic curriculum, the National Qualifications Framework on areas of training, the educational plan, and the curriculum (syllabuses) on course units / modules. The teaching - learning - evaluation process is performed according to the educational plan developed on basis of the National Qualifications Framework and Curriculum including the objectives of the educational process, the learning outcomes, the standard period of study, workload, requirements for starting studies, list of course units / modules studied, syllabi of course units / modules, the choices of educational pathways, requirements for graduation, study documents, qualifications / titles to be conferred upon completion of studies.

The achievement of transversal and specific competences, defined for levels of qualifications, reflected in the General Framework and detailed in the Qualifications Framework on fields should serve as benchmarks for internal and external evaluation bodies of the quality of study programmes concerned.

Educational Standards (how are they related to NQF)

The Law on Education (art. 7, State educational standards) stipulates: (1) the education system is based on state educational standards. Standards establish the minimum mandatory requirements without various levels and stages of education. The way of elaboration, approval and introduction of educational standards is established by the Ministry of Education; (2) Educational standards are the basis for the objective assessment of the level of general and professional training of graduates, regardless of type and form of education. For higher education, the National Qualifications Framework contains basic standard requirements.

5.3.7. Criterion 6: Employment

Differentiation of Occupations per Education Levels. Place of Master's and Doctorate Levels

The classifier of occupations does not specify the level of qualifications required for the employment and practicing the occupations defined. The employer will determine what qualifications are needed for performing the planned function.

The General Framework of Qualifications and the Qualifications Framework on areas of training define only the spectrum of occupations recommended for every level of qualifications and specialty offered by Moldovan higher education. For example, the master's degree certifies that the holder has acquired general and specialized knowledge and skills and specific cognitive abilities; master's degree provides the right to hold teaching posi-

tions in higher education institutions and scientific research institutions and to participate in the entrance examination to doctoral studies. The PhD in science degree/diploma certifies that the holder has achieved basic skills in a certain area and can occupy the corresponding positions in the institutions of higher education, organizations in the field of research and innovation, as well as other organizations of the national economy.

Explicitly, there are defined levels of qualifications appropriate to positions only for specialties in the fields of education, law, state enforcement bodies, architecture, and construction.

The Government Decree on the Job Placement of Graduates of State Higher Education and Specialized Education Institutions, No. 923 of 04.09.2001, states that higher education and secondary specialized institutions can conclude contracts with students, enrolled in the first year of study (full-time) in the groups funded from the state budget, on their training and placement on the labour market after graduation depending on the needs of the country. It is provided that these graduates will be assigned to work depending on their specialty in accordance with the offers of ministries and other central administrative authorities and local authorities, being obliged to work three years in the units and structures in which they were assigned. In case of graduate's refusal to be present at the workplace according to the distribution after graduation or suspend his/her activity before the expiry of the three years set, he/she is obliged to return to the state budget the expenses of the government for his/her education.

This Government Decree is inefficient and, in our view, is unconstitutional. Other methods are required to solve the problem of youth employment in education and other budgetary sectors.

Counselling and Career Guidance Services for Students

Universities pay some attention to preparing students for employment using different mechanisms: production internships, organization of job fairs, etc. In some universities (TUM, MSU, AESM) special structures have been created for career guidance of students which have more functions, but the main function is counselling - ensuring the prerequisites for the integration of students and young graduates in the society at social, economic, cultural, artistic level through access to information and specific training activities and advice. The Regulations about these Centres/units and other documents related to this field can be found on the website of universities.

5.3.8. Criterion 7: The Content and Realization of Study Programmes, Organization of the Study Process

Designing the Content, Allocation among Academic Structures

The Law on Education (art. 26) states that Moldovan higher education is divided into three levels: bachelor, master, and doctorate. The organization of the study process at cycle I and cycle II is defined in the Regulation on the Organization of Studies in Higher Education based on the National Study Credit System and the Regulation on the Organisation of Higher Education Master Studies, cycle II.

The study process in higher education (first cycle, second cycle and integrated studies) is organized by applying the National Study Credit System (NSCS). The duration of studies is

usually quantified in credits (one year of full-time studies in higher education corresponds to 60 credits of study).

Higher education at Bachelor level is full-time and part-time, and at the Master level, it is usually full-time. The duration of part-time studies is one year longer than for the full-time studies. Studies in the areas of Arts, Psychology, Medicine, Pharmacy, Veterinary Medicine and specialties like Architecture, Modern Languages are only full-time.

The organization of the educational process during the academic year is set out in the timetable of the study process (approved at the end of the previous academic year according to the internal regulations of the educational institution), and for a semester - in the didactic activities' timetable approved at the beginning of the semester.

In developing both the schedule and timetable, each university takes into account the particularities of organization of studies by cycles and forms of education, which are displayed both at the faculty's advertising board and on the website of the institution and / or faculty.

The organization of the study process at cycle III - Doctorate, in general, is defined in art. 30 of the Law on Education: doctoral schools, duration, completion. Being a specific education, and taking into account the substantial change, too many activities are left undefined.

The normative document Higher Education Framework Plan, approved by Order of the Ministry of Education no. 455 of 03.06.2011, contains only norms / standards related to curriculum structure, and the form of documents.

The educational plans for higher education institutions are developed / designed by specialized departments for each cycle, field of professional training / specialty and form of organization of education (full-time, part-time, distance learning), and are approved by the university Senate jointly with the Ministry of Education, in compliance with state educational standards. The educational plans approved by the Ministry, shall be recorded in a register at the Department of Studies of the higher education institution.

Syllabi (curricula) are developed by specialty departments and include a description of the course unit and the actual content. Based on the favourable opinion of the Faculty Council, they are approved by the University Senate. Curriculum development requirements of the course unit are set out in the Regulation on the organization of studies in higher education based on the National Study Credit System.

Both educational plans and curricula can be modified / amended provided their implementation in the following academic year, and their new version will apply to students enrolled in the respective year of studies, and provided that the changes were made in the manner prescribed by the end of the previous year of studies and have been made public through the information system of the institution.

Internships

Internships are compulsory part of the programme of initial professional training, and are focused on obtaining general and specific competences in a field of professional training / specialization. Internships in an institution of higher education include specialized (didactic, pedagogical, technological, production) internships, and bachelor / master internships.

Types, stages, place; period of conduct and duration of internships is determined by educational institutions (faculties / departments) in strict accordance with the expected learning outcomes and competencies for the field of study / specialty / specialization. Internships are organized under special programmes / contracts concluded in this regard. Internships are credited separately, usually with 1-2 credits for a full week of studies. The Higher Education Framework Plan, approved by Order of the Ministry of Education no. 455 of 03.06.2011, Art.52-54, regulates the minimum duration of internships: 10-15% of total credits at Bachelor and no less than 10 credits at Master studies.

Each university has its own regulation, programmes and guidelines for the organization of internships, developed by specialized departments, based on the provisions of the Framework Regulation on Higher Education Internships (cycle I – Bachelor studies, cycle II – Master studies). For example, see the following documents: Regulation on the Organization and Conduct of TUM Students' Internships, 2010; GUIDE to the Organisation and Conduct of Internships, TUM, 2010; Internship specifications for students at Bachelor level - cycle I, and Master level - cycle II, TUM, 2011 (<http://www.utm.md/ro/acte-normative-interne/>).

Final Evaluation (exams, theses) by Cycles

Undergraduate (Bachelor) higher education concludes with passing the Bachelor exam, which includes a profile test, a specialized test and project / thesis defence. Medical higher education concludes with a final examination and issuance of a specialist diploma. The Bachelor degree/diploma is issued after successful completion of the residency.

Graduates who passed the two tests of the Bachelor examination and defended the thesis are awarded the title of Bachelor in the general field of study, are issued the Bachelor Diploma and the Diploma Supplement. Graduates who have not passed the graduation exam receive, upon request, a certificate.

Master degree studies end up with the defence of the Master thesis. Graduates, who defended their master thesis, are awarded the title of Master in the general field of specialization attended and are issued the Master Diploma and the Diploma Supplement.

To organize the final evaluation at cycle I and II each the universities develop their own regulations and guidelines that are based on the general rules of the Framework Regulation on the Organization of Higher Education Graduation Examination for Bachelor Degree, Annex to the Order of the Ministry of Education No. 84 of 15.02.2008 and the Regulation on the Organization of Higher Education Master Studies, cycle II (Government Decree No. 1455 of 24.12.2007), art. 56-61. As examples may be presented: Guidelines on Developing and Defending the Bachelor Degree Thesis / Projects, TUM, 2010; Guidelines on Developing and Defending Master Degree Thesis, TUM, 2010; STANDARD. Bachelor's Degree Examination. Knowledge Assessment Criteria, approved by TUM Methodical Council, 2010.

Doctoral studies are completed with the public defence of the thesis based on the results of scientific research conducted by the doctoral student. The methodology for writing, presenting and defending the doctoral thesis are defined by the National Council for Accreditation and Attestation (<http://www.cnaa.acad.md/>).

5.3.9. Criterion 8: Teachers' Workload

Planning the Didactic Workload

The Labour Code of the Republic of Moldova, code no. 154, (Published in Monitorul Oficial journal No. 159-162 on 29.07.2003, Articles 296-298, provides that:

- pedagogical (didactic) activity should be carried out by people with a level of education, required and established by the legislation in force, demanded to perform pedagogical activity in the corresponding educational institutions and organizations in the field of science and innovation (Art. 296.);
- a reduced duration of working time, which shall not exceed 35 hours per week (art. 298), should be established for the teaching staff of educational institutions and organizations in the field of science and innovation.

The Order of the Ministry of Education on the approval of the Model of Working Time Rules for Calculating the Didactic Workload Volume, No. 175 of 20.05.1996, provides an annual amount of a teacher's workload of 1,500 hours, which consists of about 700-800 hours of academic activities, and 800-700 hours of didactic-methodical tasks and research. The above Order on the standardization of teaching activities and planning the teaching load has not been cancelled, but the rules concerned are not operational for several years. Each university has established its own methodologies for calculation and allocation of didactic tasks (see: Order of Rector on the Working Time Rules for Calculating the Didactic Workload Volume of the TUM Academic Staff, No. 374-r of 01.07.2008).

Academic activities are planned very carefully: work with the students in the classroom, the development of the year projects and the final theses, internships, current and final evaluations. Planning the didactic-methodical and scientific research activity is almost formal / perfunctory. The norms used are unjustified.

Distribution of the Didactic Workload

The academic workload is distributed among the members of the department / teachers equitably according to the methodology approved by the Senate of each institution. The second part of the workload is planned by each teacher under the guidance and approval of the Head of Department.

The accounting is done only for the academic workload. There are no responsibilities for the failure of other practical tasks. It is taken into consideration only at the re-election in the academic position or career advancement. The lack of a rigorous control often leads to total passivity in the research activity of teachers.

The Accounting of Teaching and Research Workload

Several university structures (departments of studies, faculties and departments) perform a strict record of didactic tasks accomplishment, reports are drawn up periodically. The situation is more complicated regarding the didactic-methodical and scientific research workload.

This strange phenomenon comes from the financing of teachers' activities. Funding which comes from the state budget is understood as only for academic activities, and no one considers the research activity that should be indispensable part of a teacher's activity.

There should be mechanisms to account for such activities, and, respectively, a separated or differentiated payment for the didactic and research task.

Higher education institutions are trying to solve this problem by differentiating the supplement to the salary accordingly and taking into account the accumulated score for writing manuals and monographs, publishing articles in scientific journals, obtaining invention patents, etc. (see: Regulation on the Salary of TUM Staff under University Self-Management, 2013).

5.3.10. Criterion 9: University Scientific Research (Organization)

University Structures Involved in the Organization of Scientific Research

Article 26, paragraph 10 of the Law on Education stipulates that didactic activity in higher education is conducted in close connection with the scientific activity in various fields. Another article of the Law (Article 32) states:

- In higher education institutions the scientific research and project activity is conducted in departments / chairs, laboratories, sections or departments. Students, whose copyrights are protected by law, can also participate in research activity. The scientific research activity will be also carried out in collaboration with the Academy of Sciences.
- The State shall ensure and stimulate scientific collaboration and cooperation with prestigious university centres, provide facilities for the acquisition of machinery & equipment necessary for scientific research.

The internal structures for the organization and management of scientific research are determined by the institution's Senate. For example, TUM established 4 thematic research centres, involving 3-4 faculties with their departments which are grouped according to research directions. A research and technology transfer integration factor is the "Politehnica" Innovation Incubator with four technology transfer sections correlated with university's research profiles. These centres are subordinated to the Vice-rector for research and are coordinated by the Scientific Investigations Department.

The Law on Education nominates that: fundamental scientific research programmes, and other programmes of research and design, shall be evaluated and approved by the Ministry of Education and shall be financed on competition basis. But the reality is different. According to the Code on Science and Innovation of the Republic of Moldova No. 259 of 15.07.2004 (article 71, paragraph 1) the Academy of Sciences is the only public institution of national interest in science and innovation area, plenipotentiary coordinator of scientific and innovation activity. As a result, direct funding of university research is practically non-existent.

Research works are carried out under Projects within the State Programmes, Bilateral Projects and International Grants for innovation and technology transfer and economic contracts. Universities consider this way of research funding non-objective, and require a direct funding without intermediaries.

Students' Involvement in the Process of Scientific Research (incentive mechanisms)

Scientific research and design activity, which is performed in the departments/chairs, laboratories and departments, is carried out with the participation of students whose copyrights are protected by law. A special role is given to the involvement of master and doctoral

students in research aiming at developing scientific research capacities of students and is a mandatory step prior to doctoral studies and professional researcher respectively.

Technical creativity teams perform their activities primarily in the sections of innovation incubators which are made up of students, master and PhD students. This creates favourable conditions for the promotion of innovative ideas of future residents.

Scientific Research of Didactic Staff (planning and control of performance, the methodology of assessing research activity)

See point 3.10.3

Research Master's Degree

Moldovan legislation regulates two types of Master's Degree: research and professional. Research Master's Degree aims at developing the scientific research capacities of students and is a mandatory step prior to doctoral studies. Professional Master Degree provides training in a special field, being focused primarily on skills with applied content.

5.3.11. Criterion 10: The Doctorate

Types of Doctorates

Article 30 (paragraph 5) of the Law on Education (recently amended) states that: There are two types of higher education doctoral programmes: a) scientific doctorate, which produces original scientific knowledge relevant at international level based on some scientific methods. Scientific doctorate is a prerequisite for professional career in higher education and research; b) professional doctorate, in the field of arts or sports, which produces original knowledge, based on the application of the scientific method and systematic reflection, on artistic creations or on high level of sporty performance at national and international level and can be a basis for professional career in higher education and research in the field of arts and sports.

Based on the results of the external evaluation of higher education institutions and organizations in the field of research and innovation done in the manner provided by law, the Government, at the proposal of the Ministry of Education, grants or withdraws the right to organize doctoral higher education.

Admission to cycle III, doctoral higher education, is organized by higher education institutions or organizations in the field of research and innovation. Admission is done to programmes accredited or provisionally approved in accordance with the legislation in the field of education. Master degree / diploma holders or those who hold an equivalent education document recognized by the national authorized body can participate in the competition for admission to doctoral higher education.

University professors, associate professors, main scientific researchers, scientific researchers coordinators and senior scientific researchers with scientific degree are allowed to be doctoral / PhD supervisors. Doctoral higher education ends with public defence of the PhD thesis, awarding the degree of Doctor of Science and issuance of the Doctor of Science Diploma by the programme organizing institution, following confirmation by the National Council for Accreditation and Attestation.

Doctor of Science diploma certifies that the holder has received fundamental competences in an area of training and can occupy the corresponding positions in higher education institutions, organizations in the field of research and innovation, as well as other organizations in the national economy.

The Regulation on the Organization and Conduct of Doctoral Programmes is developed by the Ministry of Education and approved by the Government. The holder of the Doctor of Science diploma / degree can develop his/her professional and investigational skills in postdoctoral programmes.

Doctoral Schools

Higher education Doctoral programmes are organized within doctoral schools and financed by distinct mechanisms. Doctoral Schools are organized within higher education institutions, organizations in the field of research and innovation, as well as within national and international consortia or partnerships.

Doctoral Schools are organizational and administrative structures set up by the institutions organizing Doctoral higher education programmes in a field, disciplinary or interdisciplinary topics.

Doctoral Schools manage the budgets allocated to doctoral higher education programmes and are externally evaluated periodically to ensure the quality as required by law. A number of 180 transferable study credits correspond to Doctoral higher education programmes.

In order to conduct PhD studies TUM established the Doctoral School of Engineering in October 21, 2008, which is a subdivision with interdisciplinary objectives, and which aims at ensuring the quality and transparency in the organization and deployment of doctoral studies, thus contributing to maintaining the quality of research and promoting the status and social prestige of the doctorate. Doctoral activity is carried out according to the Regulation on the Organization and Conduct of Doctoral and Postdoctoral Studies (Annex no.1 to the Government Decree No. 173 of 18.02.2008) and the Regulation on the Organization and Functioning of Doctoral School of Engineering of the Technical University of Moldova, approved by TUM Senate on 21.10.2008.

Post Doctorate, Habilitate

Article 31 of the Law on Education defines:

- Postdoctoral studies can be carried out in higher education or scientific research institutions. Enrolment to postdoctoral studies is done for holders of the doctoral degree / diploma. Admission to postdoctoral studies is done upon request. Individuals enrolled in post-doctoral studies can benefit of creativity holidays of up to 2 years, keeping their salary.
- Post-doctoral studies end up with the public defence of a thesis in a Scientific Council, approved by the Higher Attestation Commission, and with awarding the second scientific title - Doctor Habilitate.

Criteria for developing the thesis and awarding the title of Doctor Habilitate are set by the Higher Attestation Commission (see: Guidelines for Postdocs, approved by the decision of TUM Senate on 04.02.2014).

The title of Doctor Habilitate gives the holder priorities in obtaining the didactic title of university professors, privileges in the election by competition to academic and research managerial positions of the university.

5.3.12. Conclusions

- Universities are autonomous to introduce or terminate Bachelor, Master and PhD educational programmes, if they meet the quality requirements prescribed by current legislation. We consider that the procedure for confirmation of new specialties at cycle I - Bachelor should be simplified.
- The government sets quotas for admission to studies based on needs in personnel, funding possibilities and considering the training capacities of each university. Setting quotas for admission on contract basis (tuition fees), according to the university, is an unjustified limitation. The admission procedure is legislatively determined only at the framework level, the type and forms of examination and admission criteria are determined autonomously by the institutions. Enrolment of foreign students is the responsibility of universities.
- Legislative framework of the Republic of Moldova provides the basis for the organization of academic mobility of students both inside and outside the country. Universities have the freedom to establish agreements on mobility and student exchanges without additional limitations from the Government. They also define the procedures for the recognition of study periods and modules done during mobility. There are defined rules for transfer from one institution to another and from one form of education to another. There are nominated bodies entitled with the recognition of diplomas and qualifications obtained abroad in the Republic.
- The legislation in force obliges higher education institutions to create their own institutional systems of quality assurance. QA systems were established in the majority of state universities, using the experience of universities in European countries, but there are also institutions without these systems. External quality assurance is carried out by external evaluation, authorization and accreditation. Self-assessment, conducted by the university structures, is regarded as a key element of the quality assurance process. Moldova is in the process of creation of the National Agency for Quality Assurance in Professional Education, which will operate according to European standards.
- National Qualifications Framework of RM consists of the General Framework, which defines the general skills, and Qualifications Framework on Fields of Study, nominating professional competences on training areas. Qualifications Framework is jointly developed by universities with representatives of employers within the industry. Realization of transversal and specific competences defined by the General Framework and detailed in the Qualifications Framework on Fields of Study should serve as benchmarks for bodies of internal and external quality evaluation of study programmes concerned.
- Mandatory distribution of graduates imposed to institutions is, in our opinion, inappropriate. Economic incentive mechanisms require students to fill vacancies in state

structures. It is necessary to revise the Occupational Framework highlighting occupations that correspond to qualification levels 6, 7, 8 (levels of training at Bachelor, Master and Doctorate). Universities, by themselves, define needs and create their own structures for career counselling and guidance to students.

- Planning study programmes content and organization of the educational process is the responsibility of each institution that will take into account: the peculiarities of studies per cycles, form of education, specific features of the field of training. Normative documents, approved by the Ministry of Education, establish only general rules for compatibility. Internships are compulsory components of initial training programmes, and are focused on obtaining general and specific competences in a field of professional training. Higher education is completed with the defending of the Bachelor, Master or PhD thesis corresponding to the cycle of study. Through thesis content and its public defence the student demonstrates the achievement of the aims of education / learning outcomes, as defined in the programme.
- Each institution has developed its own calculation system, academic workload planning and distribution. Several university structures (departments of education, faculties and departments/chairs) lead a strict record regarding the fulfilling of this task, periodic reports are prepared. In the absence of separate and adequate funding, scientific research workload planning and accounting is formal. There is a need to radically change these mechanisms.
- In higher education (according to the Law on Education) didactic activity is conducted in connection with the scientific activity in various fields. In higher education institutions scientific research is conducted in laboratories, sections or departments. Students at the Bachelor level can also participate in this activity, but the involvement of Master's degree and PhD students is compulsory. Internal scientific research organizational and management structures are determined by the Senate of the institution. Research works are carried out under Projects within the State Programmes, Innovation and Technology Transfer Programmes (subordinated to the Academy of Sciences), bilateral projects and international grants; economic contracts. Universities require changing university's research funding mechanisms.
- Doctoral programmes are of two types: scientific doctorate and professional doctorate (for sports, arts). Doctoral studies are completed with the public defence of the PhD thesis, awarding the degree of Doctor of Science and the issuance of the Doctor of Science Diploma. The diploma is issued by the institution organizing the programme, after confirming the degree by the National Council for Accreditation and Attestation. Higher education doctoral programmes are organized in doctoral schools within higher education institutions, organizations in the field of research and innovation and within national and international consortia or partnerships. RM's Law on Education defines post-doctoral studies as a higher level of research culminating with the public defence of a thesis and awarding of the second scientific title - doctor habilitate.

5.4. Interfaces of Academic Autonomy and Institutional Autonomy

Introduction

This chapter describes the educational process and its related activities in the context of university autonomy, based on existing legislative framework and the realities within higher education institutions in the Republic of Moldova. Addressing the existing situation on interfaces allows the creation of an overall vision on academic autonomy in higher education.

5.4.1. Government – University Interface

Overview

The central body of the public administration in the field of education in Moldova is the Ministry of Education which develops state educational standards and controls their implementation, organizes and coordinates the development of programmes and curricula, textbooks and other teaching materials, participates in the development of admission plans in subordinated educational institutions, evaluates and accredits educational institutions, coordinates together with other ministries and departments the scientific research activity in the subordinated higher education and research institutions.

Organization and Conduct of the Study Process

The educational process in higher education for the cycle I and cycle II in the Republic of Moldova is organized by applying the National Study Credit System (NSCS), developed under the European Credit Transfer System (ECTS). The study term is usually quantified in credits (one year of study in higher education corresponds to 60 transferable study credits (ECTS)).

The way the study process for the cycle I and cycle II is organized is stipulated in:

- Regulation on the Organization of Higher Education Studies under the National Study Credit System, Order of the Ministry of Education, No. 726 of 20.09.2010.
- Regulation on the Organization of Higher Education Master Studies, cycle II Government Decree No. 1455 of 24.12.2007.

The Law on Education stipulates that in Moldova the academic year in higher education begins on 1 September and ends on 1 July, except the last year of study, consisting of two semesters with duration of approx. 15 weeks each.

Other provisions of the Law on Education are:

- Bachelor degree studies end up with a Bachelor exam, which includes a profile test, a test on the speciality and a Bachelor project / thesis.
- Graduates who passed the two tests of the graduation exam and defended their Bachelor thesis are awarded a degree / diploma in the general field of study and are issued the Bachelor diploma. Graduates who did not pass the graduation / Bachelor exam receive, upon request, a certificate.
- Master degree studies finish with the defending of the Master thesis. Graduates who defended their Master thesis are awarded the title of Master in the general study domain and specialization and a Master's degree diploma is issued to them.

Elaboration of Syllabuses and Curricula

Regarding the introduction of new study programmes at cycle I – Bachelor, universities base on the Law of Nomenclature of Fields of Professional Education in Higher Education Institutions, cycle I, No. 142 of 07.07.2005. Given the labour market demand in personnel with certain qualifications, if it is necessary to introduce a new study programme / specialty, which it is not found in the Nomenclature already approved, then several stakeholders such as universities, businesses, professional associations, submit a proposal to the Ministry of Education and Government for analysis, and in case of positive opinion, the new specialty is approved by Parliament law.

Regarding the introduction of new study programmes at cycle II - Master, universities are free to open new programmes. Besides, there is no Nomenclature of Fields of Professional Education for cycle II master studies. The Ministry of Education does not approve the programme, but shall ensure that all documents related to this process are in order.

At cycle III - PhD, introduction of new study programmes is made based on the Nomenclature of Scientific Specialties, approved by Government Decision No. 199 of 13.03.2013 and given the fact that the number of places is strictly limited per fields of education; the Academy of Sciences of Moldova is the body that decides on their number.

The syllabuses for higher education institutions are developed by specialized departments / chairs for each cycle, field of professional training / specialty and organizational form of education (full time, part time, distance learning) according to the Higher Education Framework Plan, approved by order of the Ministry of Education no. 455 of 03.06.2011. Syllabuses are approved by the university Senates, in agreement with the Ministry of Education, and in accordance with the state educational standards.

Liquidation of study programmes for some reason is initiated by the higher education institution, although the Ministry of Education has also this right, especially if negative results are obtained from the external evaluation procedure conducted by the National Agency for Quality Assurance in Professional Education (according to the new provisions of the Law on Education). If there are such cases, the Ministry of Education may even propose to the Government to withdraw the right of activity of the institutions or professional training programmes.

Syllabuses are approved by the Ministry of Education, and are recorded in a register at the Department of Studies of the higher education institution. The registration number and date of approval are written down on the title page of the syllabus (Provisional Framework Plan for Higher Education Undergraduate Studies, cycle I).

Curricula are developed by a group of teachers from specialized chairs / departments and include the description of the course unit and the actual content. Based on the favourable opinion of the Faculty Council, they are approved by the University Senate. Requirements for curriculum development of the course unit are defined in the Regulation on the Organization of Higher Education Studies under the National Study Credit System.

Both syllabuses and curricula can be modified / amended provided that they will be implemented in the following academic year, and their new version will apply to students enrolled to studies in that year as long as the changes were made in the manner prescribed by the end of the previous year of studies and have been made public through the information system of the institution.

Admission to Studies

Admission to higher education in Moldova is carried out on a competitive basis, candidates being selected based on knowledge and skills criteria, which are characteristic of the speciality / area of professional training they choose. Admission competition is organised within the educational institution by educational cycles and specialties / areas depending on the language of instruction, form of education and source of funding. The terms and method of admission to each higher education institution shall be published and placed on the website of the university, until the early admission.

Annually, the Government establishes an admission plan for places with funding from the state budget for the cycle I and II, and the number of study places on contract basis / tuition fee for cycle I. Universities can decide only on the number of study places on contract basis / tuition fee for cycle II.

At cycle III – PhD, the admission plan with funding from the state budget and on contract basis / tuition fee is not drafted by the higher education institution, but by SCSTD, based on the proposals of Moldova Academy of Sciences, endorsed by the NCAA and annually approved by the Government.

5.4.2. Management – University Staff Interface

The study process of an educational institution consists of several actions / elements. The didactic staff, in addition to its rights, has to respect certain job obligations, namely, the schedule, duration of study hours, and completion of registers etc., which are stated in the University Charter and the internal regulations of higher education institutions.

Didactic staff is free to choose the field of research, has the opportunity to design academic activities together with the students, to develop curricula and programmes in compliance with quality assurance standards etc.

Teachers are not officially classified as civil servants. In the Republic of Moldova there are national criteria for academic staff recruitment which is done based on Regulation on Filling Academic Positions in Higher Education Institutions, approved by Government Decree, No. 854 of 21.09.2010 and Regulation on Taking up Academic and Management Positions and Electing Governing Bodies in Higher Education Institutions in the Republic of Moldova, approved by the Ministry of Education, Annex to order 697 of 04.11.2011.

Employment of the didactic staff is carried out on a competitive basis, national announcements being a compulsory element, but international announcements not. The academic staff is interviewed, before being chosen by competition, and subsequent employment is for a fixed term. In case of lack of necessity, academic staff can be fired (dismissed, reduced).

Evaluations of the didactic staff are made regularly, each year. Institutional programmes of training and development are organised for the academic staff. According to the Law on Education, each teacher should attend continuing education training programmes, not less than once every five years.

There are also procedures to become a PhD supervisor respecting the provisions of the Regulation on the Organization of Doctoral and Postdoctoral Studies.

The university is not free in determining the salary scale, but has the right to establish the salary level, additional payments and promotions. Autonomy at personnel / staff level is linked to personal responsibility and failure of responsibilities, both individually and collectively, attracts a series of sanctions and penalties (Labour Code, internal regulations, and job description).

5.4.3. University Staff – Students Interface

Law on Education provides a number of rights and obligations for students and teachers. Also, students and teachers have other duties, recorded in the internal regulations of the higher education institutions; the infringement of internal regulations of higher education institution by students leads to penalties up to their expulsion (Law on Education, No.547-Xiii of 21.07.1995, Art. 56 - 58, with subsequent amendments).

Students' rights and freedoms are respected. There are student representatives in the university governing bodies (both at university and at faculty levels). They are not representatives of the members of Students' Union; there is a process of direct election of students in the university governing bodies.

Students have full voting rights in all university committees which they are part of. Student representatives are also part of curriculum planning committees. Students are involved in the appointment of the Rector, deans, heads of chairs / departments and didactic staff. To this end they are full members of the examination boards in question.

Regarding the involvement of students in quality assurance of studies, they actively participate in various questionnaires / surveys on the quality of the course, the programme attended, teachers' activity etc. Such questionnaires are conducted annually at the end of the course, programme of study and are anonymous. Students' feedback is discussed in the department meetings, faculty councils and management boards of higher education institutions.

5.4.4. University – Business Interface

The economic environment has an influence on educational programmes developed by the University. Below we present some good examples of Moldovan universities.

At the State University "A. Russo" from Balti there are three study programmes opened under the direct influence of the economic environment. Thus, in 2001-2002 at the Institute of Research for Field Crops "Selectia", Balti, which basically did not have young professionals, most researchers were about or of retirement age, it was decided to train future specialists for the institution. Two study programmes – "Agroecology" and "Agronomy" were opened, in this respect. These study programmes took into consideration the specific training of specialists for the Institute of Research for Field Crops "Selectia". About 50-55% of the study subjects are promoted by members of this institution. All types of practices and most of the laboratory work are conducted in the laboratories and on the land of the Institute of Research for Field Crops "Selectia", Balti. In a few years the staff of this institution was clearly rejuvenated. They already have a few disciples doing their doctoral studies.

In 2011, the company "Draexlmaier Automotive" Ltd, registered in the economic free zone of Balti, was in need of middle-level managers (heads of departments, shifts etc.) and

the company addressed the management of the State University “A. Russo” of Balti with a proposal to train specialists in engineering and management in automotive transport. In a few months work, a new curriculum was developed for specialty “Engineering and Management (in automotive transport)”, jointly with experts from several universities in Germany, taking into account the practical training of young specialists. A number of courses are taught by a group of professors from Germany, Technical University of Moldova, technical universities from Romania.

The first 50 young people were enrolled in the academic year 2012-2013, who, in addition to acquiring knowledge within the specialty, are studying German language as well. There are also a number of other study programmes such as “Social Assistance”, “Psychology”, “Public Administration”, a series of economic specialties adjusted to the requirements of the economic environment. Current legislation does not forbid the participation of business representatives in academic activity. The law allows their employment by universities.

The legislation in force does not allow creation of common business and research organizations with companies. The university can only sign cooperation agreements in order to grant instruction and research services, provision of services etc. Usually, there is a certain selection procedure of the associated academic staff from the business world in universities. All Universities in Moldova have the right to organize joint research with national and international companies.

5.4.5. University – Internationalization Interface

One of the priorities of universities is international cooperation. University activities are directed toward establishing favourable relations of cooperation with institutions, universities, funding organizations, institutions of expertise from abroad. These collaborations can lead to enhancing the current position of Universities in Moldova and their further development.

International cooperation facilitates university integration in the international area of knowledge and research, and contributes to the promotion and optimization of cooperation and international mobility of teachers and students.

Currently new trends have emerged in higher education worldwide, such as: increasing competition in the university environment by diversifying the academic offers, increasing academic mobility (both of academic staff and, especially, students), and migration of skilled workers.

In this context, the main objective of universities in Moldova is to strengthen international cooperation in the fields of didactic activity, scientific research, and academic mobility; recruitment of foreign nationals to study and creation of partnerships with universities from other countries.

University curricula, quality of study programmes and the content of studies are the most important components in the context of the internationalization of the educational process. Increasing competition of European universities for the best students requires changes in the university curricula. Accents are moving from the quantitative to the qualitative approach, and to the skills of students in the field of study according to international standards. Thus, at national level, the didactic process globalization occurs by aligning curricula with

international standards in all subjects and at all levels. This process is not a simple adjustment to the existing curricula in economically advanced countries; it takes into account the specificities of national and local education system. Curriculum harmonization with international standards enhances the quality and content of study programmes, diversifies skills and abilities of the didactic staff and students.

The introduction of study programmes in a foreign language requires didactic and auxiliary staff internationalization both at course level and faculty level. In this context, universities are required to provide training for didactic and auxiliary staff for an effective international activity (language courses, pedagogical and professional training courses).

Moldovan universities are entitled to provide honorary titles of “Invited Professor” and “Associate Professor” to university professors, with notorious names in the field, coming from other universities (Charter of the Public Institution State University of Medicine and Pharmacy „Nicolae Testemițanu”, Republic of Moldova, with subsequent amendments and completions, approved at the Senate meeting on 28.12.2012). The policy in this area facilitates professional contacts between the didactic staff of universities from Moldova and abroad, renewal and development of the existing links, and offers the possibility to start joint international research projects. Heads of departments are offered the opportunity to invite didactic staff from universities abroad to provide courses to local students in accordance with the National Curriculum. The language of teaching in these cases may be Romanian, Russian, English, French, etc.

Moldovan universities promote the policy to support didactic staff and student mobility. Policy goal is to expand studies abroad with an emphasis on acquiring knowledge which, being implemented, lead to the development of universities in the Republic of Moldova and to international cooperation.

The Republic of Moldova joined the CEEPUS III programme (exchange programme for higher education in Central Europe) with full participation starting with the academic year 2011-2012. (Regulation on Certain Measures for the Implementation of the “Agreement on University Study Exchange Programmes in Central Europe (CEEPUS III)” in the Republic of Moldova, signed at Budva on March 25, 2010, approved by Government Decree No. 454 of 25.06.2012). The programme promotes the establishment of university networks, which provide joint curricula or diplomas (Joint Programmes / Degrees), leading to joint studies.

Based on the principles of the European Higher Education Area academic mobility is financially supported by numerous educational and scientific programmes of the European Union: Tempus, Erasmus Mundus, Framework Programme 7, Marie Curie Action, Jean Monnet and others.

The objectives of the partnerships are to develop skills of the most motivated and talented students and didactic staff and to provide a good international experience, with the aim of increasing their market launch; to improve higher education in the Republic of Moldova and to facilitate the Bologna process. These programmes contribute to strengthening cooperation in education and science with higher education institutions in the European countries.

Examples of best practices enhancing the quality of study programmes and content of studies as a result of international cooperation at State University “Alec Russo” of Balti:

- Development of study programme in “Social Assistance”, Tempus project T_JEP-10012-1995 (MD) ARUB: Studiengang Sozialwesen, March, 1995 – March, 1998;
- Updating of the study programmes for the above mentioned specialty by implementing another Tempus project, “Professionalization of education in social assistance”, TEMPUS ETF-JP-00471-2008), which had as main objective the modernization of the study programmes in higher education institutions in which social workers are trained in accordance with the requirements of the Bologna Process;
- Strengthening the quality of study programmes, Tempus project SCM-T005B05-2005 „The Development of a Quality Assurance System within selected Universities in Moldova” which had the purpose to develop the quality management system in the university and elaborate the quality management manual;
- The development of professionalized courses to facilitate the professional adaptability of the specialists in the economy area on the labour market and the award of double degrees together with Clermont-Ferrand University, France, within the project “Modernization and development of professional courses”, 144920-TEMPUS-2008-FR-JPCR;
- Academic staff training in design and implementation of a university course in the information environment through student-centred approach, project “Educational network of teachers in the West-East”, 145035-TEMPUS-1-2008-1-LT-TEMPUS-JPTHN;
- Opening a new speciality at the Faculty of Real Sciences of the university, starting with September 1, 2012 - „Engineering and Management (in automobile transport)” in partnership with Draexlmaier Automotive Ltd, which offers the possibility of involving industry in the educational process etc.

Within already completed Tempus projects, Moldovan universities benefited from the endowment with information equipment, English language courses, training seminars in the management of international relations, exchange visits on sharing experience with EU partners, teaching materials were published, modern training centres were established, new educational offers were proposed both in higher education and postgraduate education.

Moldovan universities cooperate with the Central and Eastern Office of the Francophone University Agency (AUF), in particular, with Romanian higher education institutions participating in the “Eugen Ionescu” programme offering doctoral and post-doctoral research scholarships.

In the context of the Cooperation Protocol between the Ministry of Education, Youth and Sports of Romania and the Ministry of Education of the Republic of Moldova for 2012-2013, 2013-2014, 2014-2015 academic years, Moldovan students benefit from scholarships subsidized by the Romanian Government for cycles I, II and III (Protocol of Cooperation between the Ministry of Education, Youth and Sports of Romania and the Ministry of Education of the Republic of Moldova, 05.09.2012). According to the Order of the Romanian Ministry of National Education No. 3100 of 29.01.13, local didactic staff benefits from scholarships for specialization courses lasting one month. (Order on granting 1 month - scholarship / person internships, for a total of 54 teachers from the Republic of Moldova based on Romania – Republic of Moldova inter-university cooperation, starting with the academic year 2012/2013).

Beyond the above listed partnerships, Moldovan universities conclude agreements, contracts, memoranda of bilateral cooperation with universities abroad as dynamic platforms for research, teaching and mutual benefits.

The main objective of Universities in Moldova is attracting a large number of foreign nationals who wish to pursue undergraduate or master's degree studies. This objective cannot be achieved without the information, support and constant guidance of potential candidates. To achieve the envisaged objective Directorates / Departments of International Relations were established in universities, coordinated by International Relations Vice-rectors.

The role, activities, goals and mission of the Directorate / Department of International Relations is to be of permanent real help to local and foreign students enrolled in postgraduate programmes. This assistance is governed by national rules in force (Law on the Status of Foreigners in the Republic of Moldova, No. 547 of 21.07.1995, Monitorul Oficial journal No. 62-63, art. 692 of 09.11.1995; Regulation on Issuing Invitations to Foreign Nationals and Stateless Persons, approved by Government Decree No. 33 of 22.01.2004).

General policy and actions to achieve the university's international dimension is independent. The internationalization actions of universities derive from the Universities' decisions, but fall into a common framework of educational policy, values and actions. Although we have sufficient independence and autonomy in this context, we note the existence of a certain degree of monitoring and supervising of the internationalization processes. Thus, under the Order no. 442 of September 19, 2005, regarding the regulation procedure for establishing relations of cooperation in education with educational institutions from other states and promotion of educational policy, the Ministry of Education approves (or not) the signing of cooperation agreements. Additionally, there is the Framework Plan, the Regulation on academic mobility and other regulations which condition the regulations.

5.4.6. Conclusions

Further we present some conclusions regarding the analysis of academic autonomy described in this chapter. The aim is to highlight both the strengths and weaknesses of the existing system, which further on could be considered by policy makers when amendments will be introduced to improve the legislative framework regarding university autonomy.

- In the Republic of Moldova, the Ministry of Education is the central body responsible for education; it establishes policies in this area, designs and applies national development strategies of the educational system in consultation with institutions and central government, local authorities and social partners; higher education and research institutions are subordinated to it. However, higher education institutions are autonomous regarding the organization of studies and research, the establishment of specializations, the development of curricula and syllabi in accordance with state educational standards (standards are developed by the Ministry of Education), the organization of admission taking into account the profile of the institution. For example, in the context of admission to higher education studies, a mixed system is applied in Moldova; the number of places with budget funding are defined by the matriculation plan approved by the Government, based on the labour market demand and public interest; the num-

ber of places on contract basis studies (tuition fees) are determined by the institution as consequence of university autonomy, given the institutional capacity, number and qualifications of teachers, etc.

- Speaking about management-staff interaction, universities are autonomous in the selection and promotion of teachers and other staff, establishment of criteria for assessing the educational and scientific activities, providing educational titles. Teachers have the freedom in terms of curriculum and programmes development, choosing the material to be taught, designing course content, working with students. All rights and obligations of teachers are set in various external normative documents such as the *Law on Education*, *Labour Code*, and in the internal documents of HEIs, such as internal regulations and job description.
- Rights and freedoms of students and teachers are fully respected by HEIs. Just like teachers, students are also represented in all university governance structures (e.g. Senate, faculty councils); they have their own structure at national and university level (student unions), participate in the election of university management (rector, deans, heads of department), and are members of the examination boards. Students also engage in various activities such as surveys, which aim at improving the quality of education.
- Moldovan legislation does not ban or limit the establishment of cooperation relationships with business and various educational and scientific institutions, centres and organizations in the country and abroad. Thus, universities are autonomous in establishing such relationships, targeting various activities, such as business involvement in the development of curricula, organization of teaching and practical training, research activities, teachers' training, organization of various joint events, technical and material endowment, etc. Hence, universities are encouraged to engage more actively in such collaborations, as there is a huge benefit for both university and business, and society as a whole, resulting in the improvement of the quality of education and, respectively, the economic development of the country.
- The internationalization dimension is achieved through the establishment of cooperation relationships with institutions, universities, funding organizations, institutions of expertise from abroad, mobility of teachers and students, participation in various international projects, offering courses in foreign languages, etc. Although, according to the legislation Moldovan universities have the right to offer study programmes in other modern languages, besides Romanian, the admission plan, approved by the Government provides, at the moment, places for study in groups taught only in Romanian and Russian. At the same time, international programmes support introduction of study programmes taught in other languages (e.g. Francophone University Agency supports francophone departments). Study programmes in other languages would attract foreign students. A problem that currently is an impediment to offering study programmes in foreign languages is the lack of teachers with language skills necessary to ensure such a programme, as well as the small number of students speaking modern languages.

5.5. Conclusion and Next Steps

Based on the above chapters of the Report the following conclusions and findings are included in this section:

- Based on the analysis of bibliographic resources the core of the term / concept of academic autonomy of a higher education institution has been defined.
- From the set of criteria by which one can judge about the degree of the academic autonomy of higher education institutions, 10 most valuable / important (in the context of the Republic of Moldova) were selected: introduction and liquidation of study programmes, admission to studies; recognition of studies; quality assurance of study programmes; the National Qualifications Framework; employment of graduates on the labour market; content and implementation of study programmes; teaching load of teachers; university scientific research; organization of doctorate.
- A database of key laws and government decisions, documents approved by ministries and internal normative documents was create. All these documents refer to Moldovan higher education and deal with various aspects of university autonomy, including academic autonomy.
- Chapters 3 and 4 of the Report present the results of the analysis of Moldovan legislation and university normative documents made in the light of 10 criteria of university autonomy outlined above, but also in terms of the five interfaces of academic autonomy. It was found out that the legislative basis supporting the academic autonomy of higher education institutions in Moldova offers some freedom to universities in the performance of academic and research activities, such as the university's ability to make decisions on the vision, mission and academic profile; the introduction or withdrawal of study programmes; their structure and content; admission criteria; organization of studies; ways of ensuring the quality of their study programmes; ability to decide on the areas, scope, aims and methods of scientific research. Still, there are some issues that restrict the academic freedom / autonomy of universities: several procedures related to the planning of study programmes included in the Framework Plan and other regulations; the too long path for opening new study programmes (specialties); unjustified restriction of admission to study of fee-paying students; subordination of university research to an institution incapable of understanding the role and place of university research and many other deficiencies that exist in the Republic of Moldova's legislation.
- At this stage, the basic purpose of the report was to create the database concerning the academic autonomy of universities in Moldova, to ascertain the situation at present. The next phase of the project (WP3) will be focused on studying the law in force in five EU Member States (Lithuania, Scotland, Sweden, Denmark and Romania), and internal regulatory acts of several universities in those countries. The analysis will be done using the criteria of academic autonomy, outlined in Chapter 2 of this report. Thus, having a large database, common for Republic of Moldova and five European countries, it will be possible to make a deep and multifaceted comparative analysis

of academic autonomy in Moldovan universities and in European countries' universities to better perceive what is and what should be the degree of academic autonomy of Moldovan universities; to define which of the good European practices observed in this study deserve to be followed, adapted and implemented in practice by higher education institutions of our country.

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35. Framework Regulation on the Organization of Higher Education Graduation Examination for Bachelor Degree (Annex to the Order of the Ministry of Education and Youth, No. 84 of 15.02.2008);
36. Framework Regulation on Higher Education Internships (cycle I – Bachelor studies, cycle II – Master studies), 2013;

37. Regulation on the Functioning of Quality Management Committees;
38. Regulation on the Study of Foreign Nationals in Educational Institutions of the Republic of Moldova, approved by Government Decree, No. 746 of 21.06.2003;
39. Regulation on the Mobility of Students and Academic Staff in Higher Education Institutions, approved by Decision of the Collegium of the Ministry of Education No. 64 of 16.07.2009;
40. Regulation on Filling Academic Positions in Higher Education Institutions, approved by Government Decree No. 854 of 21.09.2010;
41. Regulation on Taking up Academic and Management Positions and Electing Governing Bodies of Higher Education Institutions in the Republic of Moldova. Annex to order 697 of 04.11.2011;
42. Regulation on the Organisation of Higher Education Master Studies, cycle II, Government Decree No.1455 of 24.12.2007;
43. Regulation on the Organization of Studies in Higher Education under the National Study Credit System, Annex to the Order of the Ministry of Education, No. 726 of September 2010;
44. Regulation on Issuing Invitations to Foreign Nationals and Stateless Persons, approved by Government Decree No. 33 of 22.01.2004;
45. Regulation on the Organization and Conduct of Doctoral and Postdoctoral Studies, Government Decree No. 173 of 18.02.2008;
46. Regulation on the Organization and Functioning of Doctoral School of Engineering at TUM, approved by TUM Senate Decision on 21.10.2008;
47. Regulation on the Organization and Conduct of TUM Students' Internships, 2010;
48. Regulation on the Recognition, Equivalence and Authentication of Diplomas and Qualifications, approved by the Ministry of Education, 2011;
49. Regulation on the Quality Management System at the Technical University of Moldova;
50. STANDARD. Bachelor's Degree Examination. Knowledge Assessment Criteria, approved by TUM Methodical Council, 2010;
51. "Moldova 2020" National Development Strategy: Seven Solutions for Economic Growth and Poverty Reduction, approved by Law No. 166 of 11.07.2012

Electronic sources

52. <http://www.anc.edu.ro/>
53. <http://www.cnaa.acad.md/>
54. <http://www.edu.md/ro/>
55. <http://www.eua.be>
56. <http://www.university-autonomy.eu/dimensions/academic/>
57. <http://www.utm.md/>
58. <http://www.utm.md/ro/acte-normative-interne/>

Appendixes

Appendix 5.1: Data sources

#	Document type	Title
1.	Law	Constitution of the Republic of Moldova, 29.07.1994, Monitorul Oficial journal No.1 of 18.08.1994, in force since 27.08.1994
2.	Law	Law on Education, No. 547 of 21.07.1995, Monitorul Oficial journal No. 62-63 of 09.11.1995, art. 692, in force since 09.11.1995
3.	Law	Law on the Evaluation and Accreditation of Educational Institutions in the Republic of Moldova, No.1257-XIII of 16.07.97, Monitorul Oficial journal No.69-70/583 of 23.10.1997
4.	Law	Law on the amendment and completion of the Law on Education and the Law on the Evaluation and Accreditation of Educational Institutions in the Republic of Moldova, No. 328 of 24.03.1999, Monitorul Oficial journal No. 056 of 03.06.1999, promulgated on 26.05.1999
5.	Law	Law on the approval of the Nomenclature of Fields of Professional Education and Specialties of Personnel Training in Higher Education Institutions, cycle I, No. 142 of 07.07.2005, Monitorul Oficial journal No. 101-103, art. 476 of 29.07.2005, in force since 07.07.2005
6.	Law	Law on Preventing and Combating Corruption, No. 90 of 25.04.2008, Monitorul Oficial journal No. 103-105, art. 391 of 13.06.2008
7.	Law	Law on the Status of Foreigners in the Republic of Moldova, No. 547 din 21.07.1995, Monitorul Oficial journal No. 62-6309 of 09.11.1995, art. 692, in force since 09.11.1995
8.	Law	Law on the State Policy on Innovations and Technological Transfer, No. 289 of 10.07.2003, Monitorul Oficial journal No. 170, art. 697, of 08.08.2003
9.	Law	Law on Allowances for Temporary Labour Disability and Other Social Security Benefits, No. 289 of 10.07.2003, Monitorul Oficial journal No. 168-170, art. 773, of 10.09.2004.
10.	Law	Law on the Salary System in the Public Sector, No. 355 (with subsequent amendments) of 23.12.2005, Monitorul Oficial journal No. 35-38, art. 148, of 03.03.2006
11.	Law	Law on Wages, No. 847 of 14.02.2002, Monitorul Oficial journal No. 50-52, art. 336, of 11.04.2002
12.	Law	Law on Public Procurements, No. 96 of 13.04.2007, Monitorul Oficial journal No. 107-111, art. 470, of 27.07.2007
13.	Law	Law on Public-Private Partnership, No. 179 of 10.07.2008, Monitorul Oficial journal No. 165-166, art. 605, of 02.09.2008
14.	Law	Law on Occupational Safety and Health, No. 186 of 10.07.2008, Monitorul Oficial journal No. 143-144, art. 587, of 05.08.2008
15.	Law	Law on Accounting, No. 113 of 27.04.2007, Monitorul Oficial journal No. 90-93, art. 399, of 29.06.2007

#	Document type	Title
16.	Code	Labour Code of the Republic of Moldova, Code No. 154 of 28.03.2003, Monitorul Oficial journal No. 159-162, art. 648, of 29.07.2003
17.	Code	Code on Science and Innovations of the Republic of Moldova, Code No. 259 of 15.07.2004, Monitorul Oficial journal No. 125-129, art. 663, of 30.07.2004
18.	Code	Civil Code of the Republic of Moldova, No. 1107 of 06.06.2002, Monitorul Oficial journal No. 82-86, art. 661, of 22.06.2002
19.	Code	Tax Code of the Republic of Moldova, No. 1163 of 24.04.1997
20.	Regulation approved by the Moldovan Parliament	Regulation on the Accreditation of Science and Innovations Institutions, Annex No. 1 to the Code on Science and Innovations of the Republic of Moldova, Code No. 259 of 15.07.2004
21.	Regulation approved by the Moldovan Parliament	Regulation on the Attestation of Scientific and Scientific-Pedagogical Personnel of High Qualification, Annex No. 3 to the Code on Science and Innovations of the Republic of Moldova, Code No. 259 of 15.07.2004
22.	Regulation approved by the Government of RM	Regulation on Filling Academic Positions in Higher Education Institutions, approved by Government Decree, No. 854 of 21.09.2010
23.	Regulation approved by the Government of RM	Regulation on the Organization and Conduct of Doctoral and Postdoctoral Studies, Government Decree, No. 173 of 18.02.2008
24.	Regulation approved by the Government of RM	Regulation on the Recognition and Equivalence of Documents of High Scientific and Scientific-Didactic Quality Obtained Abroad, approved by Government Decree, No. 472 of 06.05.2004;
25.	Regulation approved by the Government of RM	Regulation on Exemption of Tuition Fees of Students of Higher Education Institutions and Students of Specialized State Institutions Enrolled on Contract Basis, approved by Government Decree, No. 125 of 15.02.2001
26.	Regulation approved by the Government of RM	Regulation on the Amounts of Scholarships, Other Forms of Social Support for Students of Higher Education Institutions, Students of Secondary Specialized Educational Institutions and Vocational Secondary Institutions and for Trainees of Post-university Education, No.1009 of 01.09.2006 (with subsequent amendments)
27.	Regulation approved by the Government of RM	Framework Regulation on the Modality and Conditions for Granting Scholarships to the Students of the I Cycle, II Cycle, Integrated Studies, Medical and Pharmaceutical Education of Higher Education Institutions, Students of Specialized and Secondary Vocational Educational Institutions and for Persons Enrolled in Postgraduate Studies, Annex No. 3 to the Government Decree No. 1009 of 01.09.2006

#	Document type	Title
28.	Regulation approved by the Government of RM	Law on the Modification and Completion of the Government Decree No. 1009 of 01.09.2006, Decree No. 1287 of 18.11.2008
29.	Regulation approved by the Government of RM	Framework Regulation on the Operation of Dormitories under the Subordination of State Education Institutions, approved by Government Decree No. 74 of 25.01.2007
30.	Regulation approved by the Government of RM	Regulation on the Organisation of Higher Education Master Studies, cycle II, approved by Government Decree, No. 1455 of 24.12.2007
31.	Regulation approved by the Government of RM	Regulation on the Organisation of Professional Continuing Education, Annex 2 to the Government Decree, No. 1224 of 09.11.2004
32.	Regulation approved by the Government of RM	Regulation on the Activity of the National Council for Vocational Continuing Training, Annex 3 to the Government Decree, No. 1224 of 09.11.2004
33.	Regulation approved by the Government of RM	Regulation on the Operation of State Higher Education Institutions in Conditions of Financial Autonomy, Annex 1 to the Government Decree, No. 983 of 22.12.2012
34.	Regulation approved by the Government of RM	Regulation on the Granting of Guarantees and Compensations to Employees Combining Work with Study, Annex 1 to the Government Decree, No. 435 of 23.04.2007
35.	Regulation approved by the Government of RM	Regulation on the Study of Foreign Nationals in Educational Institutions of the Republic of Moldova, approved by Government Decree, No. 746 of 21.06.2003
36.	Regulation approved by the Government of RM	Regulation on Certain Measures for the Implementation of the “Agreement on University Study Exchange Programmes in Central Europe (CEEPUS III)” in the Republic of Moldova, signed at Budva on 25.03.2010, approved by Government Decree, No. 454 of 25.06.2012
37.	Regulation approved by the Government of RM	Regulation on Issuing Invitations to Foreign Nationals and Stateless Persons, approved by Government Decree No. 33 of 22.01.2004
38.	Regulation approved by the Government of RM	Regulation on the Conditions of Staff Payroll in State Higher Education Institutions Under Financial Autonomy, approved by Government Decree, No. 195 of 13.03.2013, Monitorul Oficial journal No. 56-59, art. 245, of 15.03.2013, in force since 01.01.2013

#	Document type	Title
39.	Regulation approved by the Government of RM	Regulation on the Special Funds of Institutions under the Ministry of Education, approved by Government Decree, No. 196 of 22.02.2007, Monitorul Oficial journal No. 43-46, art. 334, of 30.03.2007
40.	Regulation approved by the Government of RM	Regulation on the Job Placement of Graduates of State Higher Education and Specialized Institutions, approved by Government Decree, No 923 of 04.09.2001, Monitorul Oficial journal No. 108-109, art. 972, of 06.09.2001
41.	Regulation approved by the Government of RM	Regulation on the Accommodation Rates in the Dormitories of Secondary Vocational Education, Specialized Education, Higher Education and Science and Innovation Institutions, approved by Government Decree, No. 99 of 30.01.2007, Monitorul Oficial journal No. 014, art. 105, of 02.02.2007
42.	Regulation approved by the Government of RM	Regulation on the approval of the Standard Documentation for the Realisation of Public Procurements of Goods and Services, approved by Government Decree, Nr. 763 of 11.10.2012, Monitorul Oficial journal No. 216-220, art. 825, of 19.10.2012
43.	Regulation approved by the Government of RM	Regulation on the Public Procurement of Works, approved by Government Decree, No. 834 of 13.09.2010, Monitorul Oficial journal No. 169-171, art. 923, of 17.09.2010
44.	Regulation approved by the Government of RM	Regulation on the Approval of Legislation on the Implementation of Occupational Safety and Health, approved by Government Decree, No. 186-XVI of 10.07.2008, Monitorul Oficial journal No. 34-36, art. 138, of 17.02.2009
45.	Regulation approved by the Government of RM	Regulation on the Salary Conditions of the Staff of Public Institutions, (with subsequent amendments), approved by Government Decree, No. 381 of 13.04.2006, Monitorul Oficial journal No. 66-69, art. 431, of 28.04.2006
46.	Regulation approved by the Government of RM	Regulation on approval of the Calculation Modality of the Work Period Regarding the Length of Service Bonus for Budgetary Units Staff, Paid under the Single Tariff Structure, approved by Government Decree No. 801 of 20.07.2007, Monitorul Oficial journal No. 117-126, art. 889, of 10.08.2007
47.	Regulation approved by the Government of RM	Regulation on the Detachment of Employees of Moldovan Institutions, approved by Government Decree, No. 10 of 05.01.2012, Monitorul Oficial journal No. 7-12 art. 30, of 13.01.2012
48.	Regulation approved by the Government of RM	Regulation on the Protection of Children and Vulnerable Families, approved by Government Decree, No. 198 of 16.04.1993, Monitorul Oficial journal No. 4, art. 119, of 30.04.1993

#	Document type	Title
49.	Regulation approved by the Government of RM	Regulation on the approval of Interim Norms on Spending Money for Orphan Schoolchildren (students) and Children under Guardianship from Professional and Vocational Schools, Secondary Specialized Educational Institutions and Universities, Boarding Schools and Orphanages, approved by Government Decree, No.870 of 28.07.2004 (with subsequent amendments), Monitorul Oficial journal No. 132-137, art. 1045, of 06.08.2004
50.	Regulation approved by the Government of RM	Regulation on the Staff Payroll of Units under Financial Autonomy, approved by Government Decree, No. 743 of 11.06.2002, Monitorul Oficial journal No. 79-81, art. 841, of 20.06.2002
51.	Regulation approved by the Government of RM	Regulation on the Evaluation of Working Conditions at Workplace and Modality of Application of Sectorial Lists of Works for Which Compensation Bonuses May Be Established for Unfavourable Working Conditions, approved by Government Decree No. 1335 of 10.10. 2002, Monitorul Oficial journal No. 146-148, art. 1496, of 31.10.2002
52.	Regulation approved by the Government of RM	Regulation on the Modality of Average Salary Calculation, approved by Government Decree No. 426 of 26.04.2004, Monitorul Oficial journal No. 73-76, art. 570, of 07.05.2004
53.	Regulation approved by the Government of RM	Regulation on Wages for Certain Categories of Employees who are Subject to Reduced Duration of Working Time, approved by Government Decree No. 1254 of 15.11.2004. Monitorul Oficial journal No. 208-211, art. 1439, of 19.11.2004
54.	Regulation approved by the Government of RM	Regulation on the Conditions of Establishment, Calculation and Payment of Allowances for Temporary Disability and Other Social Insurance Benefits, approved by Government Decree No. 325 of 21.03.2007, Monitorul Oficial journal No. 24-25, art 162, of 11.02.2005
55.	Regulation approved by the Ministry of Education	Framework Regulation on the Organisation of Higher Education Graduation Examination for Bachelor Degree, Annex to the Order of the Ministry of Education and Youth, No. 84 of 1502.2008
56.	Regulation approved by the Ministry of Education	Guide on the Implementation of the National Study Credit System, approved by Decision of the Collegium of the Ministry of Education, Youth and Sports, No. 3.1 of 23.02.2006, in force by Order No. 140 of 25.02.06
57.	Regulation approved by the Ministry of Education	Regulation on the Mobility of Students and Academic Staff of Higher Education Institutions
58.	Regulation approved by the Ministry of Education	Framework Regulation on Higher Education Institution, Annex No. 1 to Order No. 671 of 06.08. 2010

#	Document type	Title
59.	Regulation approved by the Ministry of Education	Regulation on the Organisation of Studies in Higher Education under the National Study Credit System, Annex to Order of the Ministry of Education No. 726 of 20.09.2010
60.	Regulation approved by the Ministry of Education	Higher Education Framework Regulation, approved by Order of the Ministry of Education, No. 455 of 03.06.2011
61.	Regulation approved by the Ministry of Education	Regulation on Taking Up Management Positions and Electing Governing Bodies in Higher Education Institutions in the Republic of Moldova, Annex to the Order No. 697 of 04.11.2011
62.	Regulation approved by the Ministry of Education	Regulation on the Organization and Conduct of Admission to Undergraduate Higher Education , cycle I, in the Republic of Moldova, Annex to the Order No. 475 of 07.06.2012
63.	Regulation approved by the Ministry of Education	Regulation on the Certification of Teachers of Preschool, Primary, Secondary, Special, Complementary and Specialized Secondary Vocational Education, Annex 1 to Order No. 453 of 31.05.2012
64.	Regulation approved by the Ministry of Education	Regulation on the Recognition, Equivalence and Authentication of Diplomas and Qualifications
65.	Regulation approved by the Ministry of Education	Consolidated Strategy for the Development of Education for 2010 - 2015. Approved by Order of the Ministry of Education No. 849 of 29. 11. 2010
66.	Regulation approved by the Ministry of Education	Republic of Moldova's Higher Education Strategy in the Context of Bologna Process, 24.05.04
67.	Regulation approved by the Ministry of Education	Regulation on the Methodological Norms for the Development and Application of Standards for Professional Continuing Education Programmes, approved by Order of the Ministry of Education, Youth and Sport No. 549 of 16.11.2005
68.	Regulation approved by the Ministry of Education	Protocol of Cooperation between the Ministry of Education, Youth and Sports of Romania and the Ministry of Education of the Republic of Moldova, 05.09.2012
69.	Regulation approved by the Ministry of Education	Regulation on the Order Determining Pedagogical and Scientific Length of Service, Order of the Ministry of Education No. 328 of 27.10.1994

#	Document type	Title
70.	Regulation approved by specialized institutions (NCAA)	Regulation on the Activity Evaluation Specialized Committees of the Science and Innovation Organizations, approved by NCAA on 24.02.2005, minutes No.1 (targets only organisations in the accreditation process at the date of 01.01.2011)
71.	Regulation approved by specialized institutions (NCAA)	Guide for Doctoral Thesis and Report Writing, approved by Decision of the NCAA Attestation Committee, No.AT03/1-1 of 23.04.2009
72.	Regulation approved by specialized institutions (NCAA)	Regulation on the Functioning of Specialized Scientific Committees and Awarding Scientific Degrees and Scientific and Scientific-Didactic Titles in the Republic of Moldova, approved by Decision of the NCAA Attestation Committee on 25.11.2004, minutes No.1
73.	Regulation approved by specialized institutions (NCAA)	Regulation on the Establishment and Activity of the Profile Scientific Seminar, approved by Decision of the NCAA Attestation Committee on 21.12.2006, minutes No. 7
74.	Regulation approved by specialized institutions (NCAA)	Regulation on the Assessment and Classification of Scientific Journals, joint Decision of the Supreme Council for Science and Technological development of Moldovan Academy of Sciences and National Council for Accreditation and Attestation No. 212 of 06.11.2008
75.	Regulation approved by the Ministry of Labour, Social Protection and Family	Collective Convention (sectorial level) for 2011-2015, No. 2 of 12.01.2011, Monitorul Oficial journal No. 18-21, art 94, of 28.01.2011 registered at the Ministry of labour, Social and Family Protection on 12.01.2011, No. 2
76.	Regulation approved by the Ministry of Finance	Regulation on the Assessment, Reporting of Financial Management and Control System and Issuing of the Declaration on Good Governance, Order of the Ministry of Finance No. 49 of 26.04.2012, Monitorul Oficial journal No.135-141/803 of 06.07.2012
77.	Regulation of TUM	Statute of the State Higher Education Institution Technical University of Moldova, approved at the Senate meeting on 26.12.2006
78.	Regulation of TUM	Regulation of the University Senate, approved at the TUM Senate meeting on 28.01.2003.
79.	Regulation of TUM	Regulation on the Organization of Studies at TUM under the National Study Credit System, approved at the TUM Senate meeting on 29.03.2011, in force by Order No. 242-r of 05.04.2011
80.	Regulation of TUM	Regulation on the University Faculties, approved at the TUM Senate meeting on 28.01.2003.

#	Document type	Title
81.	Regulation of TUM	Regulation on the University Chairs, approved at the TUM Senate meeting on 28.01.2003
82.	Regulation of TUM	Regulation on the Functioning of Quality Management Committees, approved at the TUM Senate meeting on 27.03.2007
83.	Regulation of TUM	Criteria, Indicators and Assessment Procedures for Higher Education Study Programmes: cycle I – Bachelor studies, cycle II - Master studies. 2009. Guide, developed within TEMPUS project JEP-26091-2005 „Implementation of Internal Quality Assurance Institutional System in Moldovan Higher Education”
84.	Regulation of TUM	Regulation on the Functioning of the Quality Committee
85.	Regulation of TUM	Regulation on the Quality Management System of the Technical University of Moldova, approved at the TUM Senate meeting on 21.12.2004
86.	Regulation of TUM	Regulation on the Functioning of the University Centre of Continuing Education, approved at the TUM Senate meeting on 22.04.2008
87.	Regulation of TUM	Regulation on Filling Academic Positions at Technical University of Moldova, 2007
88.	Regulation of TUM	GUIDELINES on Developing and Defending the Bachelor Degree Thesis / Project, developed within 1444544 Tempus 2008-FR-JPHES project „Development of Partnerships with Enterprises of the Republic of Moldova”, 2010;
89.	Regulation of TUM	STANDARD. Bachelor Degree Examination. Knowledge Assessment Criteria, approved by TUM Methodical Council, 2010
90.	Regulation of TUM	GUIDELINES on Developing and Defending the Master Degree Thesis, 2010, developed within 1444544 Tempus 2008-FR-JPHES project „Development of Partnerships with Enterprises of the Republic of Moldova”, 2010
91.	Regulation of TUM	Regulation on the Monitoring of Bachelor/Master Thesis/Project Development, Order No. 217-r of 05.03.2012
92.	Regulation of TUM	Regulation on the Organisation and Conduct of TUM Students’ Internships, developed within 1444544 Tempus 2008-FR-JPHES project „Development of Partnerships with Enterprises of the Republic of Moldova”, 2010
93.	Regulation of TUM	Internship Specifications for Undergraduate Students of Higher Education - cycle I and Master’s Higher Education - cycle II
94.	Regulation of TUM	GUIDELINES on the Organisation and Conduct of Students’ Internships, developed within 1444544 Tempus 2008-FR-JPHES project „Development of Partnerships with Enterprises of the Republic of Moldova”, 2010
95.	Regulation of TUM	Institutional Regulation on the Organization of Student Learning Evaluation, approved by the TUM Senate Decision on 07.12.2011, order Nr. 1032-r

#	Document type	Title
96.	Regulation of TUM	Regulation on the Conducting and Defending Laboratory Work by Students
97.	Regulation of TUM	Regulation on the Organization and Conduct of Training in the Subjects Repeated
98.	Regulation of TUM	Regulation on Taking Repeated Colloquia and Exams
99.	Regulation of TUM	Regulation on the Organization and Functioning of Doctoral School of Engineering at TUM, approved by the TUM Senate Decision on 21.10.2008
100.	Regulation of TUM	Guidelines for Postdocs, approved at the TUM Senate meeting on 02.04.2014
101.	Regulation of TUM	Regulation on Continuing Education of TUM Academic Staff, approved at the TUM Senate meeting on 22.06.2004
102.	Regulation of TUM	Guidelines on the Organization of Academic Staff Training in Enterprises (continuing education), examined at the TUM Senate meeting on 23.03.2010
103.	Regulation of TUM	Regulation on the Organization and Functioning of TUM Scientific-Technical Library, approved at the TUM Senate meeting on 22.04.2008
104.	Regulation of TUM	Internal Regulation of TUM Library, approved by Library Director Zinaida Stratan on 23.04.2007
105.	Regulation of TUM	Framework Regulation on the Organization and Operation of the Faculty Branch Library, approved by Library Director Zinaida Stratan on 15.11.2003
106.	Regulation of TUM	Regulation on the Organization and Functioning of the Centre for Entrepreneurship and Management Assistance (CEMA), approved at the TUM Senate meeting on 25.01.2011
107.	Regulation of TUM	Regulation on the Functioning of TUM Halls of Residence, approved at the TUM Senate meeting on 28.01.2003
108.	Regulation of TUM	Regulation on the Organization and Conduct of Admission to Undergraduate Higher Education (cycle I) at the Technical University of Moldova in 2012, approved by TUM Senate meeting on 26.06.12, minutes No. 11.
109.	Regulation of TUM	Regulation on the TUM Students' Senate, approved at the General Assembly for the establishment of the TUM Students' Senate, 2006
110.	Regulation of SAUM	SAUM Statute, Order No. 186 of 28.08.1998
111.	Regulation of SAUM	Regulation on Filling Leadership Teaching Positions, Decision of SAUM Senate of 27.05. 2005
112.	Regulation of SAUM	Regulation on Granting SAUM Senate Scholarship, Decision of the Senate Bureau of 25.09. 2007
113.	Regulation of SAUM	Regulation on the Activity of the Committee of quality external assessment of specialists' training, Decision of SAUM Senate of No. 1 of 24.03.2006

#	Document type	Title
114.	Regulation of SAUM	Regulation on the Organisation of Higher Education Master Studies, cycle II, Decision of SAUM Senate of No. 4 of 14.03. 2008
115.	Regulation of SAUM	Code of University Ethics, Decision of SAUM Senate of 27.11. 2009
116.	Regulation of SAUM	Regulation on the “Teacher of the Year” Contest, Decision of the Council of Administration No. 118 of 29.05. 2007, amended in 2008 - 2013
117.	Regulation of SAUM	Internal Regulation, Order No. 12 of 02.02.2010
118.	Regulation of SAUM	Regulation on the Ethics Committee, Decision of SAUM Senate No. 5 of 25.06. 2010
119.	Regulation of SAUM	Regulation on Juries Activity (Analysis Commissions) in Solving Student Cases, Decision of the Senate Bureau No. 24 of 21.06. 2011
120.	Regulation of SAUM	Institutional Regulations on the Evaluation of Student Learning in the State Agrarian University of Moldova, Decision of the Senate Bureau No. 28 of 08.08. 2012
121.	Regulation of SAUM	Regulation on Criteria for Filling Teaching and Leadership Positions, Awarding Scientific and Didactic Degrees, Decision of SAUM Senate No. 2 of 21.12. 2012
122.	Regulation of AESM	Charter of the Academy of Economic Studies of Moldova, approved by AESM Senate meeting on 24.04.1996
123.	Regulation of AESM	Statute of the Academy of Economic Studies of Moldova, approved by AESM Senate meeting on 27.12.2006, minutes No. 3,
124.	Regulation of AESM	Code of University Ethics, approved by AESM Senate meeting on 21.02.2007, minutes No. 7
125.	Regulation of AESM	Concept of Education Quality Assurance System, approved by AESM Senate meeting on 31.10.2007, minutes No. 4
126.	Regulation of AESM	Rector Policy Statement on Quality Assurance of ASEM of 31.10.2007
127.	Regulation of AESM	AESM Informatization Strategy for 2010 – 2015, approved by AESM Senate meeting on 28.10.2009, minutes No. 1/1
128.	Regulation of AESM	Handbook of Quality Management System, approved by AESM Senate meeting on 19.11.2008, minutes No. 4
129.	Regulation of AESM	Regulation on the Functioning of AESM Methodical-Scientific Council and Faculty Methodical Committee, approved by AESM Senate meeting on 27.10.2010, minutes No. 4
130.	Regulation of AESM	Regulation on AESM Students’ Senate, approved by AESM Senate meeting on 24.11.2004, minutes No. 4
131.	Regulation of AESM	Regulation on the Faculty Students’ Council, approved by AESM Senate meeting on 24.11.2004, minutes No. 4
132.	Regulation of AESM	Regulations on Preparing Dockets Using the Computerized System Tracking of Student Achievements, approved by AESM Senate meeting on 22.03.2004, minutes No. 27
133.	Regulation of AESM	Regulation on the Organisation and Functioning of Students’ Halls of Residence at AESM and NTC, approved by AESM Senate meeting on 25.04.2007, minutes No. 8

#	Document type	Title
134.	Regulation of AESM	Regulation on the Approach and Conditions of Granting Stipends to Students and Persons Attending AESM Postgraduate Education, approved by AESM Senate meeting on 27.12.2006, minutes No. 8
135.	Regulation of AESM	Regulation on the Organisation and Functioning of AESM Committee of University Ethics, approved by AESM Senate meeting on 25.04.2007, minutes No. 8
136.	Regulation of AESM	Regulation on the Academic Group Tutor, approved by AESM Senate meeting on 25.04.2007, minutes No. 8
137.	Regulation of AESM	Regulation on AESM Centre for Economic Research, approved by AESM Senate meeting on 31.10.2007, minutes No. 4
138.	Regulation of AESM	Regulation on the Functioning of the Quality Management and Curricular Development Department at AESM, approved by AESM Senate meeting on 26.12.2007, minutes No. 5
139.	Regulation of AESM	AESM Internal Regulation, approved by Rector's Order No. 167 of 25.11.2008 in consultation with the employees' Trade Union
140.	Regulation of AESM	Regulation on the Organization and Conduct of the Graduation Examination in Written Form at AESM, approved by AESM Senate meeting on 25.02.2009, minutes No. 7
141.	Regulation of AESM	Regulation on the Organisation and Conduct of the "Teacher of the Year" Contest at AESM, approved by AESM Senate meeting on 28.04.2010, minutes No. 4
142.	Regulation of AESM	Regulation on the Organization of Undergraduate Higher Education Graduation Examination, approved by AESM Senate meeting on 27.10.2010, minutes No. 4
143.	Regulation of AESM	Guidelines on the Development and Defence of Bachelor Thesis, approved by AESM Senate meeting on 27.10.2010, minutes No. 4
144.	Regulation of AESM	Guidelines on the Development and Defence of Master Thesis, approved by AESM Senate meeting on 27.10.2010, minutes No. 5
145.	Regulation of AESM	Regulation on the Organisation and Conduct of the "Teacher of the Year" Contest at AESM, approved by AESM Senate meeting on 29.06.2012, minutes No. 10
146.	Regulation of AESM	Regulation on the Promotion of the Academic Year. Operational Procedure: PO.01, approved by AESM Senate meeting on 04.04.2012, minutes No. 7
147.	Regulation of AESM	Regulation on the Evaluation of Student Learning, approved by AESM Senate meeting on 14.03.2012, minutes No. 6
148.	Regulation of AESM	Regulation on Preventing Plagiarism Among undergraduate / master students, approved by AESM Senate meeting on 27.02.2013, minutes No. 5
149.	Regulation of AESM	Regulation on the Functioning of AESM Research Department, approved by AESM Senate meeting on 14.04.2007, minutes No. 7
150.	Regulation of AESM	Regulation on the Centre for Training and Business Consulting (CTBS), approved by AESM Senate meeting on 28.01.2009, minutes No. 5

#	Document type	Title
151.	Regulation of AESM	Regulation on the Organization and Conduct of the Centre for Placement Centre and Relations with Economic Agencies, approved by AESM Senate meeting on 17.09.2009, minutes No. 2
152.	Regulation of AESM	Regulation on the Organization of Business Ideas Contest, approved by AESM Senate meeting on 17.09.2009, minutes No. 2
153.	Regulation of AESM	Regulation on the Organisation and Functioning of AESM Master School of Excellence in Economics and Business, approved by AESM Senate meeting on 20.04.2011, minutes No. 7
154.	Regulation of AESM	Regulation on the Organisation and Functioning of AESM Doctoral School, approved by AESM Senate meeting on 29.04.2011, minutes No. 7
155.	Regulation of SMPPhU	Charter of the Public Institution State University of Medicine and Pharmacy “Nicolae Testemițanu”, with ulterior amendments and additions; approved at the Senate Assembly on 28.12.2012
156.	Regulation of SMPPhU	Order on Granting Professional 1 month - scholarship / person Internships for a Total of 54 Teachers from the Republic of Moldova based on Romania - Republic of Moldova Inter-University Cooperation, academic year 2012/2013, Order of the Ministry of National Education of Romania, No. 3100 of 29.12.2013
157.	Regulation of SUARB	SUARB Charter, approved at the Senate meeting on 02.01.2013
158.	Regulation of SUARB	SUARB Strategic Development Plan, approved at the Senate meeting on 20.03.2013
159.	Regulation of SUARB	SUARB Internal Regulation, draft regulation
160.	Regulation of SUARB	Labour Collective Agreement , approved at the joint meeting of SUARB Trade Union and Employer, 09.04.2012
161.	Regulation of SUARB	Regulation on the Payroll of SUARB Employees, approved at the Senate meeting on 16.02.2011, amended at the Senate meeting on 16.11.2011.
162.	Regulation of SUARB	Regulation on Granting Material Aid to SUARB Employees, draft regulation
163.	Regulation of SUARB	Regulation on the Rewarding of SUARB Employees, draft regulation
164.	Regulation of SUARB	Regulation on the Conduct of Contest for Filling Non-Didactic Managerial Functions, approved by Order of the Rector No. 02-154 of 15.11.2011
165.	Regulation of SUARB	Regulation on the Utilisation of Joint Mobile Phones Network, approved by Order of the Rector No. 02-04 of 18.01.2012
166.	Regulation of SUARB	Regulation on Human Resources and Economic Planning Department, approved by Order of the Rector No. 02-85 of 18.08.2012
167.	Regulation of SUARB	Regulation on the Functioning of Service Inquiry Committee, approved by Order of the Rector No. 06-101 of 14.09.2010

#	Document type	Title
168.	Regulation of SUARB	Regulation on the Functioning of the Work Safety and Health Committee, approved by Order of the Rector No. 07-47 of 17.01.2012
169.	Regulation of SUARB	Regulation on the Conduct of Admission, approved by Order of the Rector
170.	Regulation of SUARB	Code of Ethics

Appendix 5.2: Data collection method -Academic Autonomy

Students		Please tick	
131.	Is student admission to the University selective?	Yes	No
132.	Is the University solely responsible for the admission of students to:	Yes	No
	Undergraduate (first cycle) degrees?		
	Graduate (second cycle) degrees?		
	Doctoral programmes?		
133.	Does the Government or other external body control student admissions to the University?	Yes	No
134.	Are students normally represented in University governing bodies?	Yes	No
135.	If yes, are they represented by officers of the Students Union?	Yes	No
136.	If no, is there a process for direct election of students to governing bodies (Council/Senate/Academic Board)?	Yes	No
137.	Are students formally represented on Faculty Boards?	Yes	No
138.	If yes, are they represented by officers of the Students Union?	Yes	No
139.	If no, is there a form of direct election of the student representatives?	Yes	No
140.	Are students formally represented in Departmental Boards/Committees?	Yes	No
141.	If yes, are they formally represented by representatives of the Students Union?	Yes	No
142.	If no, is there a process of direct election of student representatives?	Yes	No
143.	Do students have full voting rights on all University Committees on which they sit?	Yes	No
144.	Are students represented in curriculum planning committees?	Yes	No
145.	Are students involved in the appointment of Rectors/Presidents?	Yes	No
146.	If yes, are they full members of appointing committees?	Yes	No
147.	If no, how are they involved?		
148.	Are students involved in the appointment of Deans?	Yes	No
149.	If yes, are they full members of appointing committees?	Yes	No
150.	If no, how are they involved?		
151.	Are students involved in the appointment of Heads of Departments?	Yes	No
152.	If yes, are they full members of appointing committees?	Yes	No
153.	If no, how are they involved?		
154.	Are students involved in the appointment of members of Academic Staff?	Yes	No
155.	If yes, are they full members of appointing committees?	Yes	No
156.	If no, how are they involved?		

Academic Autonomy

157.	Is there a national Quality Assurance Agency?	Yes	No
158.	Is this an independent body?	Yes	No
159.	If there is a National Quality Assurance body, how frequently are Universities assessed?	Yes	No
	Every 3 years		
	Every 4 years		
	Every 5 years		
	Every 6 years		
	Other (Please indicate)		
160.	Is there a national accreditation body?	Yes	No
161.	If yes, is this an independent body?	Yes	No
162.	Does the Government prescribe national curriculum standards?	Yes	No
163.	If yes, what proportion of the curriculum is covered by the national standards? (give a %)		
164.	Do national standards apply in all three cycles?	Yes	No
165.	Are Universities free to develop new degrees?	Yes	No
166.	What is the internal process for the approval of new degrees and new modules?		
167.	Does the University have an Internal Quality Assurance Office?	Yes	No
168.	Does the University have an internal Quality Assurance Code of Practice?	Yes	No
169.	Does the University monitor the quality of teaching and learning on a systematic basis?	Yes	No
170.	Does the University set internal performance indicators?	Yes	No
171.	Is the curriculum 'driven' by external factors:	Yes	No
	Professional regulations?		
	Requirements of business and industry?		
	Employability factors?		
172.	Are work placements with industrial partners integrated part of the curriculum?	Yes	No
173.	Do external members (representing business, industry, the community) sit on curriculum planning and approval committees?	Yes	No

Internationalization

174.	Have Universities published, agreed strategies for internationalization?	Yes	No
175.	Do Universities need to report international partnerships to an external body?	Yes	No
176.	Are international partnerships restricted to recognised Higher Education Institutions?	Yes	No
177.	Are Universities able freely to develop joint or integrated degrees with international partners?	Yes	No
178.	Are such degrees subject to the national accreditation process?	Yes	No

179.	Is student mobility part of the internationalization strategy?	Yes	No
180.	Is staff mobility part of the internationalization strategy?	Yes	No
181.	Do students receive full academic credit for learning outcomes achieved through mobility?	Yes	No
182.	Is international work placements part of the internationalisation strategy?	Yes	No
183.	Please indicate for each of the bodies listed below, the degree of influence on national Higher Education policy.		
		Please tick	
		Little	Some
			Considerable
The National Assembly/Parliament (or equivalent)			
Government/Ministry of Education (or equivalent)			
Regional government/authorities			
National organisations (advisory bodies, representative bodies...)			
Institutional leadership (Rectors/Presidents or equivalent)			
European Commission			
External Stakeholders (Industry/business...)			
184.	Please indicate in relation to each of the stakeholders listed below their influence in determining the mission and overall strategy of a Higher Education Institution.		
		Please tick	
		Little	Some
			Considerable
The National Assembly/Parliament (or equivalent)			
Government/Ministry of Education (or equivalent)			
Regional government/authorities			
National organisations (advisory bodies, representative bodies...)			
Institutional leadership (Rectors/Presidents or equivalent)			
Academic Staff			
Students			
The institutional administrative/support staff			
European Commission			
External Stakeholders (Industry/business...)			

University Institutional Autonomy in Moldova

MOLDOVAN PARTNERS

- Technical University of Moldova
- State University of Moldova
- State University of Medicine and Pharmacy, „Nicolae Testemițanu”
- State Agrarian University of Moldova
- Academy of Economic Sciences of Moldova
- State University of Bălți „Alecu Russo”
- State University of Cahul „Bogdan Petriceicu Hașdeu”
- State University of Comrat
- National Council of Rectors of Republic of Moldova
- Ministry of Education of Republic of Moldova
- Ministry of Finance of Republic of Moldova
- Education and Science Trade Union
- National Council of Student Organizations of Moldova
- Chamber of Industry and Commerce of Republic of Moldova



Ministerul Educației
al Republicii Moldova



Ministerul Finanțelor
al Republicii Moldova



EU PARTNERS

- Aalborg University
- Mykolas Romeris University
- Royal Institute of Technology
- University of Gloucestershire
- „Ștefan cel Mare” University of Suceava



